

# Senate File 2312 - Reprinted

SENATE FILE \_\_\_\_\_  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO SSB 3142)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the conduct of elections and voter  
2 registration, making penalties applicable, and including  
3 effective date, applicability date, and transition provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5403SV 82  
6 sc/nh/8

PAG LIN

1 1 DIVISION I  
1 2 ELECTION OF SCHOOL CORPORATION BOARDS OF DIRECTORS  
1 3 Section 1. Section 39.24, Code 2007, is amended to read as  
1 4 follows:  
1 5 39.24 SCHOOL OFFICERS.  
1 6 Members of boards of directors of community and independent  
1 7 school districts, and boards of directors of merged areas  
1 8 shall be elected at the school election. Their terms of  
1 9 office shall be ~~three~~ four years, except as otherwise provided  
1 10 by section 260C.11 ~~or, 260C.13, 275.23A, 275.37, or 275.37A.~~  
1 11 Sec. 2. Section 260C.11, unnumbered paragraph 1, Code  
1 12 2007, is amended to read as follows:  
1 13 The governing board of a merged area is a board of  
1 14 directors composed of one member elected from each director  
1 15 district in the area by the electors of the respective  
1 16 district. Members of the board shall be residents of the  
1 17 district from which elected. Successors shall be chosen at  
1 18 the ~~annual~~ regular school elections for members whose terms  
1 19 expire. The term of a member of the board of directors is  
1 20 ~~three~~ four years and commences at the organization meeting.  
1 21 Vacancies on the board shall be filled at the next regular  
1 22 meeting of the board by appointment by the remaining members  
1 23 of the board. A member so chosen shall be a resident of the  
1 24 district in which the vacancy occurred and shall serve until a  
1 25 member is elected pursuant to section 69.12 to fill the  
1 26 vacancy for the balance of the unexpired term. A vacancy is  
1 27 defined in section 277.29. A member shall not serve on the  
1 28 board of directors who is a member of a board of directors of  
1 29 a local school district or a member of an area education  
1 30 agency board.  
1 31 Sec. 3. Section 260C.12, unnumbered paragraph 1, Code  
1 32 2007, is amended to read as follows:  
1 33 The board of directors of the merged area shall organize at  
1 34 the first regular meeting in October ~~of each year following~~  
1 35 the regular school election. Organization of the board shall  
2 1 be effected by the election of a president and other officers  
2 2 from the board membership as board members determine. The  
2 3 board of directors shall appoint a secretary and a treasurer  
2 4 who shall each give bond as prescribed in section 291.2 and  
2 5 who shall each receive the salary determined by the board.  
2 6 The secretary and treasurer shall perform duties under chapter  
2 7 291 and additional duties the board of directors deems  
2 8 necessary. However, the board may appoint one person to serve  
2 9 as the secretary and treasurer. If one person serves as the  
2 10 secretary and treasurer, only one bond is necessary for that  
2 11 person. The frequency of meetings other than organizational  
2 12 meetings shall be as determined by the board of directors but  
2 13 the president or a majority of the members may call a special  
2 14 meeting at any time.  
2 15 Sec. 4. Section 260C.13, subsection 1, Code 2007, is  
2 16 amended to read as follows:

2 17 1. The board of a merged area may change the number of  
2 18 directors on the board and shall make corresponding changes in  
2 19 the boundaries of director districts. Changes shall be  
2 20 completed not later than June 1 ~~for the regular school~~  
~~2 21 election to be held the next following September of the year~~  
2 22 ~~of the regular school election.~~ As soon as possible after  
2 23 adoption of the boundary changes, notice of changes in the  
2 24 director district boundaries shall be submitted by the merged  
2 25 area to the county commissioner of elections in all counties  
2 26 included in whole or in part in the merged area.

2 27 Sec. 5. Section 260C.15, subsection 1, Code 2007, is  
2 28 amended to read as follows:

2 29 1. Regular elections held ~~annually~~ by the merged area for  
2 30 the election of members of the board of directors as required  
2 31 by section 260C.11, for the renewal of the twenty and  
2 32 one-fourth cents per thousand dollars of assessed valuation  
2 33 levy authorized in section 260C.22, or for any other matter  
2 34 authorized by law and designated for election by the board of  
2 35 directors of the merged area, shall be held on the date of the  
3 1 school election as fixed by section 277.1. The election  
3 2 notice shall be made a part of the local school election  
3 3 notice published as provided in section 49.53 in each local  
3 4 school district where voting is to occur in the merged area  
3 5 election and the election shall be conducted by the county  
3 6 commissioner of elections pursuant to chapters 39 ~~to through~~  
3 7 53 and section 277.20.

3 8 Sec. 6. Section 260C.22, subsection 1, paragraph a, Code  
3 9 2007, is amended to read as follows:

3 10 a. In addition to the tax authorized under section  
3 11 260C.17, the voters in ~~any~~ a merged area may at the ~~annual~~  
3 12 ~~regular~~ school election vote a tax not exceeding twenty and  
3 13 one-fourth cents per thousand dollars of assessed value in any  
3 14 one year for a period not to exceed ten years for the purchase  
3 15 of grounds, construction of buildings, payment of debts  
3 16 contracted for the construction of buildings, purchase of  
3 17 buildings and equipment for buildings, and the acquisition of  
3 18 libraries, for the purpose of paying costs of utilities, and  
3 19 for the purpose of maintaining, remodeling, improving, or  
3 20 expanding the community college of the merged area. If the  
3 21 tax levy is approved under this section, the costs of  
3 22 utilities shall be paid from the proceeds of the levy. The  
3 23 tax shall be collected by the county treasurers and remitted  
3 24 to the treasurer of the merged area as provided in section  
3 25 331.552, subsection 29. The proceeds of the tax shall be  
3 26 deposited in a separate and distinct fund to be known as the  
3 27 voted tax fund, to be paid out upon warrants drawn by the  
3 28 president and secretary of the board of directors of the  
3 29 merged area district for the payment of costs incurred in  
3 30 providing the school facilities for which the tax was voted.

3 31 Sec. 7. Section 273.8, subsections 1 and 7, Code 2007, are  
3 32 amended to read as follows:

3 33 1. BOARD OF DIRECTORS. The board of directors of an area  
3 34 education agency shall consist of not less than five nor more  
3 35 than nine members, each a resident of and elected in the  
4 1 manner provided in this section from a director district that  
4 2 is approximately equal in population to the other director  
4 3 districts in the area education agency. Each director shall  
4 4 serve a ~~three-year~~ four-year term which commences at the  
4 5 organization meeting.

4 6 7. BOUNDARY LINE CHANGES. To the extent possible the  
4 7 board shall provide that changes in the boundary lines of  
4 8 director districts of area education agencies shall not  
4 9 lengthen or diminish the term of office of a director of an  
4 10 area education agency board. Initial terms of office shall be  
4 11 set by the board so that as nearly as possible the terms of  
4 12 ~~one-third~~ one-half of the members expire ~~annually~~ biennially.

4 13 Sec. 8. Section 273.8, subsection 2, paragraphs a and b,  
4 14 Code 2007, are amended to read as follows:

4 15 a. Notice of the election shall be published by the area  
4 16 education agency administrator not later than July 15 of the  
4 17 ~~odd-numbered year~~ in at least one newspaper of general  
4 18 circulation in the director district. The cost of publication  
4 19 shall be paid by the area education agency.

4 20 b. A candidate for election to the area education agency  
4 21 board shall file a statement of candidacy with the area  
4 22 education agency secretary not later than August 15 of the  
4 23 ~~odd-numbered year~~, on forms prescribed by the department of  
4 24 education. The statement of candidacy shall include the  
4 25 candidate's name, address, and school district. The list of  
4 26 candidates shall be sent by the secretary of the area  
4 27 education agency in ballot form by certified mail to the

4 28 presidents of the boards of directors of all school districts  
4 29 within the director district not later than September 1. In  
4 30 order for the ballot to be counted, the ballot must be  
4 31 received in the secretary's office by the end of the normal  
4 32 business day on September 30 or be clearly postmarked by an  
4 33 officially authorized postal service not later than September  
4 34 29 and received by the secretary not later than noon on the  
4 35 first Monday following September 30.

5 1 Sec. 9. Section 273.8, subsection 4, unnumbered paragraph  
5 2 1, Code 2007, is amended to read as follows:

5 3 The board of directors of each area education agency shall  
5 4 meet and organize at the first regular meeting in October ~~of~~  
5 5 ~~each year following the regular school election~~ at a suitable  
5 6 place designated by the president. Directors whose terms  
5 7 commence at the organization meeting shall qualify by taking  
5 8 the oath of office required by section 277.28 at or before the  
5 9 organization meeting.

5 10 Sec. 10. Section 274.7, Code 2007, is amended to read as  
5 11 follows:

5 12 274.7 DIRECTORS.

5 13 The affairs of each school corporation shall be conducted  
5 14 by a board of directors, the members of which in all community  
5 15 or independent school districts shall be chosen for a term of  
5 16 ~~three~~ four years.

5 17 Sec. 11. Section 275.1, subsections 2 and 5, Code 2007,  
5 18 are amended to read as follows:

5 19 2. "Initial board" means the board of a newly reorganized  
5 20 district that is selected pursuant to section 275.25 or 275.41  
5 21 and functions until the organizational meeting following the  
5 22 ~~fourth~~ third regular school election held after the effective  
5 23 date of the reorganization.

5 24 5. "Regular board" means the board of a reorganized  
5 25 district that begins to function at the organizational meeting  
5 26 following the ~~fourth~~ third regular school election held after  
5 27 the effective date of the school reorganization, and is  
5 28 comprised of members who were elected to the current terms or  
5 29 were appointed to replace members who were elected.

5 30 Sec. 12. Section 275.12, subsection 2, Code 2007, is  
5 31 amended to read as follows:

5 32 2. The petition filed under subsection 1 shall also state  
5 33 the name of the proposed school district and the number of  
5 34 directors which may be either five or seven and the method of  
5 35 election of the school directors of the proposed district.

6 1 The method of election of the directors shall be one of the  
6 2 following optional plans:

6 3 a. Election at large from the entire district by the  
6 4 electors of the entire district.

6 5 b. Division of the entire school district into designated  
6 6 geographical single director or multi-director subdistricts on  
6 7 the basis of population for each director, to be known as  
6 8 director districts, each of which ~~director districts~~ shall be  
6 9 represented on the school board by one or more directors who  
6 10 shall be residents of the director district but who shall be  
6 11 elected by the vote of the electors of the entire school  
6 12 district. The boundaries of the director districts and the  
6 13 area and population included within each district shall be  
6 14 such as justice, equity, and the interests of the people may  
6 15 require. Changes in the boundaries of director districts  
6 16 shall not be made during a period commencing sixty days prior  
6 17 to the date of the ~~annual~~ regular school election. ~~Insofar As~~  
6 18 ~~far as may be~~ practicable, the boundaries of the districts  
6 19 shall follow established political or natural geographical  
6 20 divisions.

6 21 c. Election of not more than one-half of the total number  
6 22 of school directors at large from the entire district and the  
6 23 remaining directors from and as residents of designated  
6 24 single-member or multimember director districts into which the  
6 25 entire school district shall be divided on the basis of  
6 26 population for each director. In such case, all directors  
6 27 shall be elected by the electors of the entire school  
6 28 district. Changes in the boundaries of director districts  
6 29 shall not be made during a period commencing sixty days prior  
6 30 to the date of the ~~annual~~ regular school election.

6 31 d. Division of the entire school district into designated  
6 32 geographical single director or multi-director subdistricts on  
6 33 the basis of population for each director, to be known as  
6 34 director districts, each of which ~~director districts~~ shall be  
6 35 represented on the school board by one or more directors who  
7 1 shall be residents of the director district and who shall be  
7 2 elected by the voters of the director district. Place of  
7 3 voting in the director districts shall be designated by the

7 4 commissioner of elections. Changes in the boundaries of  
7 5 director districts shall not be made during a period  
7 6 commencing sixty days prior to the date of the ~~annual~~ regular  
7 7 school election.

7 8 e. In districts having seven directors, election of three  
7 9 directors at large by the electors of the entire district, ~~one~~  
7 10 ~~no more than two~~ at each ~~annual~~ regular school election, and  
7 11 election of the remaining directors as residents of and by the  
7 12 electors of individual geographic subdistricts established on  
7 13 the basis of population and identified as director districts,  
7 14 ~~no more than two at each regular school election.~~ Boundaries  
7 15 of the subdistricts shall follow precinct boundaries, ~~insofar~~  
7 16 ~~as far~~ as practicable, and shall not be changed less than  
7 17 sixty days prior to the ~~annual~~ regular school election.

7 18 Sec. 13. Section 275.25, subsection 3, Code 2007, is  
7 19 amended to read as follows:

7 20 3. The directors who are elected and qualify to serve  
7 21 shall serve until their successors are elected and qualify.  
7 22 At the special election, the ~~three~~ newly elected ~~director~~  
7 23 ~~directors~~ receiving the most votes shall be elected to serve  
7 24 until ~~the director's successor qualifies~~ their successors  
7 25 qualify after the ~~fourth~~ third regular school election date  
7 26 occurring after the effective date of the reorganization ~~and~~  
7 27 the two newly elected directors receiving the next largest  
7 28 number of votes shall be elected to serve until the directors'  
7 29 successors qualify after the ~~third~~ second regular school  
7 30 election date occurring after the effective date of the  
7 31 reorganization ~~and the two newly elected directors receiving~~  
7 32 ~~the next largest number of votes shall be elected to serve~~  
7 33 ~~until the directors' successors qualify after the second~~  
7 34 ~~regular school election date occurring after the effective~~  
7 35 ~~date of the reorganization.~~ However, in districts that

8 1 include all or a part of a city of fifteen thousand or more  
8 2 population and in districts in which the proposition to  
8 3 establish a new corporation provides for the election of seven  
8 4 directors, the ~~three newly elected directors receiving the~~  
8 5 ~~most votes shall be elected to serve until the directors'~~  
8 6 ~~successors qualify after the fourth regular school election~~  
8 7 ~~date occurring after the effective date of the reorganization~~  
8 8 timelines specified in this subsection for the terms of office  
8 9 apply to the four newly elected directors receiving the most  
8 10 votes and then to the three newly elected directors receiving  
8 11 the next largest number of votes.

8 12 Sec. 14. Section 275.37, Code 2007, is amended to read as  
8 13 follows:

8 14 275.37 INCREASE IN NUMBER OF DIRECTORS.

8 15 At the next succeeding ~~annual~~ regular school election in a  
8 16 district where the number of directors has been increased from  
8 17 five to seven, and directors are elected at large, there shall  
8 18 be elected a director to succeed each incumbent director whose  
8 19 term is expiring in that year, and two additional directors.  
8 20 Upon organizing as required by section 279.1, ~~either one or~~  
8 21 ~~two of~~ the newly elected ~~director~~ directors who received the  
8 22 fewest votes in the election shall be assigned a term of  
8 23 ~~either one year or two years if as necessary in order that as~~  
8 24 ~~nearly as possible one-third~~ one-half of the members of the  
8 25 board shall be elected ~~each year~~ biennially. If some or all  
8 26 directors are elected from director districts, the board shall  
8 27 assign terms appropriate for the method of election used by  
8 28 the district.

8 29 Sec. 15. Section 275.37A, Code 2007, is amended to read as  
8 30 follows:

8 31 275.37A DECREASE IN NUMBER OF DIRECTORS.

8 32 1. A change from seven to five directors shall be effected  
8 33 in a district at the first regular school election after  
8 34 authorization by the voters in the following manner:

8 35 a. If at the first election in the district there are  
9 1 ~~three~~ four terms expiring, ~~one director~~ three directors shall  
9 2 be elected. At the second election in that district, if ~~two~~  
9 3 ~~three~~ terms are expiring, two directors shall be elected. ~~At~~  
9 4 ~~the third election in that district, if there are two terms~~  
9 5 ~~expiring, two directors shall be elected.~~

9 6 b. If at the first election there are ~~two~~ three terms  
9 7 expiring, ~~no two~~ directors shall be elected. At the second  
9 8 election in that district, if ~~two~~ four terms are expiring, ~~two~~  
9 9 ~~three~~ directors shall be elected. ~~At the third election in~~  
9 10 ~~that district, if there are three terms expiring, three~~  
9 11 ~~directors shall be elected, two for three years and one for~~  
9 12 ~~one year. The newly elected director who received the fewest~~  
9 13 ~~votes in the election shall be assigned a term of one year.~~

9 14 c. If at the first election there are two terms expiring,

~~9 15 no directors shall be elected. At the second election in that  
9 16 district, if three terms are expiring, three directors shall  
9 17 be elected, two for three years and one for two years. The  
9 18 newly elected director who received the fewest votes in the  
9 19 election shall be assigned a term of two years. At the third  
9 20 election in that district, if there are two terms expiring,  
9 21 two directors shall be elected.~~

9 22 2. If some or all of the directors are elected from  
9 23 director districts, the board shall devise a plan to reduce  
9 24 the number of members so that as nearly as possible ~~one-third~~  
9 25 ~~one-half~~ of the members of the board shall be elected ~~each~~  
9 26 ~~year biennially~~ and so that each district will be continuously  
9 27 represented.

9 28 Sec. 16. Section 275.38, Code 2007, is amended to read as  
9 29 follows:

9 30 275.38 IMPLEMENTING CHANGED METHOD OF ELECTION.  
9 31 If change in the method of election of school directors is  
9 32 approved at a regular or special school election, the  
9 33 directors who were serving unexpired terms or were elected  
9 34 concurrently with approval of the change of method shall serve  
9 35 out the terms for which they were elected. If the plan  
10 1 adopted is that described in section 275.12, subsection 2,  
10 2 paragraph ~~"b," "c," "d," or "e,"~~ "b," "c," "d," or "e," the  
10 3 board shall at the earliest practicable time designate the  
10 4 districts from which residents are to be elected as school  
10 5 directors at each of the next ~~three two~~ succeeding ~~annual~~  
10 6 ~~regular~~ school elections, arranging so far as possible for  
10 7 elections of directors as residents of the respective  
10 8 districts to coincide with the expiration of terms of  
10 9 incumbent members residing in those districts. If an increase  
10 10 in the size of the board from five to seven members is  
10 11 approved concurrently with the change in method of election of  
10 12 directors, the board shall make the necessary adjustment in  
10 13 the manner prescribed in section 275.37, as well as providing  
10 14 for implementation of the districting plan under this section.

10 15 Sec. 17. Section 275.41, subsection 3, Code 2007, is  
10 16 amended to read as follows:

10 17 3. Prior to the effective date of the reorganization, the  
10 18 initial board shall approve a plan that commences at the  
10 19 ~~second first~~ regular school election held after the effective  
10 20 date of the merger and is completed at the ~~fourth third~~  
10 21 regular school election held after the effective date of the  
10 22 merger, to replace the initial board with the regular board.  
10 23 If the petition specifies a number of directors on the regular  
10 24 board to be different from the number of directors on the  
10 25 initial board, the plan shall provide that the number  
10 26 specified in the petition for the regular board is in place by  
10 27 the time the regular board is formed. The plan shall provide  
10 28 that as nearly as possible ~~one-third one-half~~ of the members  
10 29 of the board shall be elected ~~each year biennially~~, and if a  
10 30 special election was held to elect a member to create an odd  
10 31 number of members on the board, the term of that member shall  
10 32 end at the organizational meeting following the ~~fourth third~~  
10 33 regular school election held after the effective date.

10 34 Sec. 18. Section 277.1, Code 2007, is amended to read as  
10 35 follows:

11 1 277.1 REGULAR ELECTION.

11 2 The regular election shall be held ~~annually biennially~~ on  
11 3 the second Tuesday in September ~~of each odd-numbered year~~ in  
11 4 each school district for the election of officers of the  
11 5 district and merged area and for the purpose of submitting to  
11 6 the voters any matter authorized by law.

11 7 Sec. 19. Section 277.25, Code 2007, is amended to read as  
11 8 follows:

11 9 277.25 DIRECTORS IN NEW DISTRICTS.

11 10 At the first election in newly organized districts the  
11 11 directors shall be elected as follows:

11 12 1. In districts having three directors, ~~one director two~~  
11 13 ~~directors~~ shall be elected for ~~one year, one for two years,~~  
11 14 and one for ~~three four~~ years.

11 15 2. In districts having five directors, ~~two three~~ shall be  
11 16 elected for ~~one year, two for two years, and one two~~ for ~~three~~  
11 17 ~~four~~ years.

11 18 3. In districts having seven directors, ~~two four~~ shall be  
11 19 elected for ~~one year, two for two years, and three for three~~  
11 20 ~~four~~ years.

11 21 Sec. 20. Section 278.2, unnumbered paragraph 2, Code 2007,  
11 22 is amended to read as follows:

11 23 Petitions filed under this section shall be filed with the  
11 24 secretary of the school board at least seventy-five days  
11 25 before the date of the ~~annual regular~~ school election, if the

11 26 question is to be included on the ballot at that election.  
11 27 The petition shall include the signatures of the petitioners,  
11 28 a statement of their place of residence, and the date on which  
11 29 they signed the petition.

11 30 Sec. 21. EFFECTIVE DATE, APPLICABILITY, AND TRANSITION.

11 31 This division of this Act, being deemed of immediate  
11 32 importance, takes effect upon enactment, for purposes of the  
11 33 transition from election of directors of community and  
11 34 independent school districts, merged areas, and area education  
11 35 agencies annually for terms of three years each to the  
12 1 staggered election of such directors biennially for terms of  
12 2 four years each. This Act shall be applied so that the first  
12 3 election at which directors, due to the expiration of  
12 4 predecessor director terms, shall be elected to serve regular  
12 5 four-year terms is the regular school election held in  
12 6 September 2009 or the director district conventions held in  
12 7 September 2009.

12 8 The board of directors of each affected school district and  
12 9 each merged area and area education agency shall review the  
12 10 expiration dates of the terms of office of its directors and  
12 11 shall adopt by resolution a plan for shortening or lengthening  
12 12 terms of members for the annual school election or director  
12 13 district convention held in September 2007 and September 2008  
12 14 so that all members whose terms expire at the regular school  
12 15 election or director district convention held in September  
12 16 2009 will be elected to four-year terms with the remaining  
12 17 members of the board having their terms expire at the regular  
12 18 school election or director district convention held in  
12 19 September 2011. The board shall submit a copy of the  
12 20 resolution adopting its plan to the office of the state  
12 21 commissioner of elections no later than August 1, 2008. In  
12 22 developing the plan, the board of directors shall take into  
12 23 consideration the terms for which the members were elected and  
12 24 the number of votes the members received in relation to the  
12 25 number of votes other candidates received at the applicable  
12 26 election or director district convention.

12 27 DIVISION II

12 28 VOTING CENTERS FOR CERTAIN ELECTIONS

12 29 Sec. 22. Section 49.9, Code 2007, is amended to read as  
12 30 follows:

12 31 49.9 PROPER PLACE OF VOTING.

12 32 ~~No~~ Except as provided in section 49.11, subsection 1A, a  
12 33 person shall not vote in any precinct but that of the person's  
12 34 residence.

12 35 Sec. 23. Section 49.11, Code 2007, is amended by adding  
13 1 the following new subsection:

13 2 NEW SUBSECTION. 1A. a. Establish voting centers for the  
13 3 regular city election, city primary election, city runoff  
13 4 election, regular school election, and special elections. Any  
13 5 registered voter who is eligible to vote in the regular city  
13 6 election may vote at any voting center in the city. Any  
13 7 registered voter who is eligible to vote at the regular school  
13 8 election may vote at any voting center in the school district.  
13 9 Any registered voter who is eligible to vote in a special  
13 10 election may vote at any voting center established for that  
13 11 special election. For purposes of section 48A.7A, a voting  
13 12 center shall be considered the polling place for the precinct  
13 13 in which a person resides.

13 14 b. The county commissioner of elections shall designate  
13 15 the location of each voting center to be used in the election.

13 16 c. A voting center designated under this subsection is  
13 17 subject to the requirements of section 49.21 relating to  
13 18 accessibility to persons who are elderly and persons with  
13 19 disabilities and relating to the posting of signs. The  
13 20 location of each voting center shall be published by the  
13 21 county commissioner of elections in the same manner as the  
13 22 location of polling places is required to be published.

13 23 d. Pursuant to section 39A.2, subsection 1, paragraph "b",  
13 24 subparagraph (3), a person commits the crime of election  
13 25 misconduct in the first degree if the person knowingly votes  
13 26 or attempts to vote at more than one voting center for the  
13 27 same election.

13 28 DIVISION III

13 29 DATES OF SPECIAL ELECTIONS

13 30 Sec. 24. Section 39.2, Code 2007, is amended by adding the  
13 31 following new subsection:

13 32 NEW SUBSECTION. 4. Unless otherwise provided by law,  
13 33 special elections on public measures are limited to the  
13 34 following dates:

13 35 a. For a county, on the day of the general election, on  
14 1 the day of the regular city election, on the date of a special

14 2 election held to fill a vacancy in the same county, on the  
14 3 first Tuesday in March or the first Tuesday in May of each  
14 4 year, or on a Tuesday in one other month during the year as  
14 5 determined by the board of supervisors.

14 6 b. For a city, on the day of the general election, on the  
14 7 day of the regular city election, on the date of a special  
14 8 election held to fill a vacancy in the same city, on the first  
14 9 Tuesday in March or the first Tuesday in May of each year, or  
14 10 on a Tuesday in one other month during the year as determined  
14 11 by the city council.

14 12 c. For a school district or merged area, in the  
14 13 odd-numbered year, the first Tuesday in February, the first  
14 14 Tuesday in April, the second Tuesday in September, or a  
14 15 Tuesday in one other month during the year as determined by  
14 16 the school district board of directors. For a school district  
14 17 or merged area, in the even-numbered year, the first Tuesday  
14 18 in February, the first Tuesday in April, the second Tuesday in  
14 19 September, or a Tuesday in one other month during the year as  
14 20 determined by the school district board of directors

14 21 Sec. 25. Section 47.6, subsection 1, unnumbered paragraph  
14 22 1, Code 2007, is amended to read as follows:

14 23 The governing body of ~~any~~ a political subdivision which has  
14 24 authorized a special election to which section 39.2 ~~is,~~  
14 25 ~~subsections 1, 2, and 3, are applicable shall by written~~

14 26 notice inform the commissioner who will be responsible for  
14 27 conducting the election of the proposed date of the special  
14 28 election. If a public measure will appear on the ballot at  
14 29 the special election the governing body shall submit the  
14 30 complete text of the public measure to the commissioner with  
14 31 the notice of the proposed date of the special election.

14 32 Sec. 26. Section 47.6, Code 2007, is amended by adding the  
14 33 following new subsection:

14 34 NEW SUBSECTION. 3. a. A city council or a county board  
14 35 of supervisors that has authorized a public measure to be  
15 1 submitted to the voters at a special election held pursuant to  
15 2 section 39.2, subsection 4, shall file the full text of the  
15 3 public measure with the commissioner no later than five p.m.  
15 4 on the forty=sixth day before the election.

15 5 b. If there are vacancies in county offices to be filled  
15 6 at the special election, candidates shall file their  
15 7 nomination papers with the commissioner not later than five  
15 8 p.m. on the forty=sixth day before the election.

15 9 c. If there are vacancies in city offices to be filled at  
15 10 the special election, candidates shall file their nomination  
15 11 papers with the city clerk not later than five p.m. on the  
15 12 forty=seventh day before the election. The city clerk shall  
15 13 deliver the nomination papers to the commissioner not later  
15 14 than five p.m. on the forty=sixth day before the election.

15 15 Candidates for city offices in cities in which a primary  
15 16 election may be necessary shall file their nomination papers  
15 17 with the city clerk not later than five p.m. on the  
15 18 fifty=fourth day before the election. The city clerk shall  
15 19 deliver the nomination papers to the commissioner not later  
15 20 than five p.m. on the fifty=third day before the election.

15 21 Sec. 27. Section 69.12, subsection 1, paragraph a, Code  
15 22 2007, is amended to read as follows:

15 23 a. A vacancy shall be filled at the next pending election  
15 24 if it occurs:

15 25 (1) Seventy=four or more days before the election, if it  
15 26 is a general election.

15 27 (2) Fifty=two or more days before the election, if it is a  
15 28 regularly scheduled or special city election. However, for  
15 29 those cities which may be required to hold a primary election,  
15 30 the vacancy shall be filled at the next pending election if it  
15 31 occurs seventy=three or more days before a regularly scheduled  
15 32 city election or fifty-nine or more days before a special city  
15 33 election.

15 34 (3) Forty=five or more days before the election, if it is  
15 35 a regularly scheduled school election.

16 1 (4) ~~Forty~~ Sixty or more days before the election, if it is  
16 2 a special election.

16 3 Sec. 28. Section 69.12, subsection 1, paragraph b,  
16 4 subparagraph (2), Code 2007, is amended to read as follows:

16 5 (2) The candidate filing deadline specified in section  
16 6 376.4 for ~~a regularly scheduled the regular city election~~ or  
16 7 ~~the filing deadline specified in section 372.13, subsection 2,~~  
16 8 ~~for a special city election.~~

16 9 Sec. 29. Section 75.1, unnumbered paragraph 3, Code 2007,  
16 10 is amended to read as follows:

16 11 When a proposition to authorize an issuance of bonds has  
16 12 been submitted to the electors under this section and the

16 13 proposal fails to gain approval by the required percentage of  
16 14 votes, such proposal, or any proposal which incorporates any  
16 15 portion of the defeated proposal, shall not be submitted to  
16 16 the electors for a period of six months from the date of such  
16 17 regular or special election and may only be submitted on a  
16 18 date specified in section 39.2, subsection 4, paragraph "a",  
16 19 "b", or "c", as applicable.

16 20 Sec. 30. Section 99F.7, subsection 11, paragraphs a and c,  
16 21 Code Supplement 2007, are amended to read as follows:

16 22 a. A license to conduct gambling games on an excursion  
16 23 gambling boat in a county shall be issued only if the county  
16 24 electorate approves the conduct of the gambling games as  
16 25 provided in this subsection. The board of supervisors, upon  
16 26 receipt of a valid petition meeting the requirements of  
16 27 section 331.306, shall direct the commissioner of elections to  
16 28 submit to the registered voters of the county a proposition to  
16 29 approve or disapprove the conduct of gambling games on an  
16 30 excursion gambling boat in the county. The proposition shall  
16 31 be submitted ~~at a general election or at a special an election~~  
16 32 ~~called for that purpose held on a date specified in section~~  
16 33 ~~39.2, subsection 4, paragraph "a".~~ To be submitted at a  
16 34 general election, the petition must be received by the board  
16 35 of supervisors at least five working days before the last day  
17 1 for candidates for county offices to file nomination papers  
17 2 for the general election pursuant to section 44.4. If a  
17 3 majority of the county voters voting on the proposition favor  
17 4 the conduct of gambling games, the commission may issue one or  
17 5 more licenses as provided in this chapter. If a majority of  
17 6 the county voters voting on the proposition do not favor the  
17 7 conduct of gambling games, a license to conduct gambling games  
17 8 in the county shall not be issued.

17 9 c. If a licensee of a pari-mutuel racetrack who held a  
17 10 valid license issued under chapter 99D as of January 1, 1994,  
17 11 requests a license to operate gambling games as provided in  
17 12 this chapter, the board of supervisors of a county in which  
17 13 the licensee of a pari-mutuel racetrack requests a license to  
17 14 operate gambling games shall submit to the county electorate a  
17 15 proposition to approve or disapprove the operation of gambling  
17 16 games at pari-mutuel racetracks ~~at a special an election at~~  
17 17 ~~the earliest practicable time held on a date specified in~~  
17 18 ~~section 39.2, subsection 4, paragraph "a".~~ If the operation  
17 19 of gambling games at the pari-mutuel racetrack is not approved  
17 20 by a majority of the county electorate voting on the  
17 21 proposition at the election, the commission shall not issue a  
17 22 license to operate gambling games at the racetrack.

17 23 Sec. 31. Section 145A.7, Code 2007, is amended to read as  
17 24 follows:

17 25 145A.7 SPECIAL ELECTION.

17 26 When a protesting petition is received, the officials  
17 27 receiving the petition shall call a special election of all  
17 28 registered voters of that political subdivision ~~for the~~  
17 29 ~~purpose upon the question of approving or rejecting the order~~  
17 30 ~~setting out the proposed merger plan. The election shall be~~  
17 31 ~~held on a date specified in section 39.2, subsection 4,~~  
17 32 ~~paragraph "a" or "b", as applicable.~~ The vote will be taken

17 33 by ballot in the form provided by sections 49.43 to 49.47, and  
17 34 the election shall be initiated and held as provided in  
17 35 chapter 49. A majority vote of those registered voters voting  
18 1 at ~~said the~~ special election shall be sufficient to approve  
18 2 the order and thus include the political subdivision within  
18 3 the merged area.

18 4 Sec. 32. Section 257.18, subsection 1, Code 2007, is  
18 5 amended to read as follows:

18 6 1. An instructional support program that provides  
18 7 additional funding for school districts is established. A  
18 8 board of directors that wishes to consider participating in  
18 9 the instructional support program shall hold a public hearing  
18 10 on the question of participation. The board shall set forth  
18 11 its proposal, including the method that will be used to fund  
18 12 the program, in a resolution and shall publish the notice of  
18 13 the time and place of a public hearing on the resolution.  
18 14 Notice of the time and place of the public hearing shall be  
18 15 published not less than ten nor more than twenty days before  
18 16 the public hearing in a newspaper which is a newspaper of  
18 17 general circulation in the school district. At the hearing,  
18 18 or no later than thirty days after the date of the hearing,  
18 19 the board shall take action to adopt a resolution to  
18 20 participate in the instructional support program for a period  
18 21 not exceeding five years or to direct the county commissioner  
18 22 of elections to submit the question of participation in the  
18 23 program for a period not exceeding ten years to the registered

18 24 voters of the school district at ~~the next regular school~~  
~~18 25 election or at a special an election held on a date specified~~  
~~18 26 in section 39.2, subsection 4, paragraph "c".~~ If the board  
18 27 submits the question at an election and a majority of those  
18 28 voting on the question favors participation in the program,  
18 29 the board shall adopt a resolution to participate and certify  
18 30 the results of the election to the department of management.  
18 31 Sec. 33. Section 257.18, subsection 2, unnumbered  
18 32 paragraph 1, Code 2007, is amended to read as follows:  
18 33 If the board does not provide for an election and adopts a  
18 34 resolution to participate in the instructional support  
18 35 program, the district shall participate in the instructional  
19 1 support program unless within twenty-eight days following the  
19 2 action of the board, the secretary of the board receives a  
19 3 petition containing the required number of signatures, asking  
19 4 that ~~an election be called~~ the question to approve or  
19 5 disapprove the action of the board in adopting the  
19 6 instructional support program be submitted to the voters of  
19 7 the school district. The petition must be signed by eligible  
19 8 electors equal in number to not less than one hundred or  
19 9 thirty percent of the number of voters at the last preceding  
19 10 regular school election, whichever is greater. The board  
19 11 shall either rescind its action or direct the county  
19 12 commissioner of elections to submit the question to the  
19 13 registered voters of the school district at ~~the next following~~  
~~19 14 regular school election or a special an election held on a~~  
~~19 15 date specified in section 39.2, subsection 4, paragraph "c".~~  
19 16 If a majority of those voting on the question at the election  
19 17 favors disapproval of the action of the board, the district  
19 18 shall not participate in the instructional support program.  
19 19 If a majority of those voting on the question favors approval  
19 20 of the action, the board shall certify the results of the  
19 21 election to the department of management and the district  
19 22 shall participate in the program.  
19 23 Sec. 34. Section 257.29, unnumbered paragraph 1, Code  
19 24 2007, is amended to read as follows:  
19 25 An educational improvement program is established to  
19 26 provide additional funding for school districts in which the  
19 27 regular program district cost per pupil for a budget year is  
19 28 one hundred ten percent of the regular program state cost per  
19 29 pupil for the budget year and which have approved the use of  
19 30 the instructional support program established in section  
19 31 257.18. A board of directors that wishes to consider  
19 32 participating in the educational improvement program shall  
19 33 hold a hearing on the question of participation and the  
19 34 maximum percent of the regular program district cost of the  
19 35 district that will be used. The hearing shall be held in the  
20 1 manner provided in section 257.18 for the instructional  
20 2 support program. Following the hearing, the board may direct  
20 3 the county commissioner of elections to submit the question to  
20 4 the registered voters of the school district at ~~the next~~  
~~20 5 following regular school election or a special an election~~  
~~20 6 held not later than the following February 1 on a date~~  
~~20 7 specified in section 39.2, subsection 4, paragraph "c".~~ If a  
20 8 majority of those voting on the question favors participation  
20 9 in the program, the board shall adopt a resolution to  
20 10 participate and shall certify the results of the election to  
20 11 the department of management and the district shall  
20 12 participate in the program. If a majority of those voting on  
20 13 the question does not favor participation, the district shall  
20 14 not participate in the program.  
20 15 Sec. 35. Section 257.29, unnumbered paragraph 5, Code  
20 16 2007, is amended to read as follows:  
20 17 Once approved at an election, the authority of the board to  
20 18 use the educational improvement program shall continue until  
20 19 the board votes to rescind the educational improvement program  
20 20 or the voters of the school district by majority vote order  
20 21 the discontinuance of the program. The board shall ~~call~~  
20 22 submit at an election to vote on held on a date specified in  
20 23 section 39.2, subsection 4, paragraph "c", the proposition  
20 24 whether to discontinue the program upon the receipt of a  
20 25 petition signed by not less than one hundred eligible electors  
20 26 or thirty percent of the number of electors voting at the last  
20 27 preceding school election, whichever is greater.  
20 28 Sec. 36. Section 260C.28, subsection 3, Code 2007, is  
20 29 amended to read as follows:  
20 30 3. If the board of directors wishes to certify for a levy  
20 31 under subsection 2, the board shall direct the county  
20 32 commissioner of elections to ~~call an election to submit the~~  
20 33 ~~question of such authorization for the board at a regular or~~  
~~20 34 special an election held on a date specified in section 39.2,~~

20 35 subsection 4, paragraph "c". If a majority of those voting on  
21 1 the question at the election favors authorization of the board  
21 2 to make such a levy, the board may certify for a levy as  
21 3 provided under subsection 2 during each of the ten years  
21 4 following the election. If a majority of those voting on the  
21 5 question at the election does not favor authorization of the  
21 6 board to make a levy under subsection 2, the board ~~shall not~~  
21 7 ~~may~~ submit the question to the voters again ~~until three~~  
21 8 ~~hundred fifty-five days have elapsed from the at an election~~  
21 9 ~~held on a date specified in section 39.2, subsection 4,~~  
21 10 ~~paragraph "c".~~

21 11 Sec. 37. Section 260C.39, unnumbered paragraph 1, Code  
21 12 2007, is amended to read as follows:  
21 13 Any merged area may combine with any adjacent merged area  
21 14 after a favorable vote by the electors of each of the areas  
21 15 involved. If the boards of directors of two or more merged  
21 16 areas agree to a combination, the question shall be submitted  
21 17 to the electors of each area at ~~a special an election to be~~  
21 18 ~~held on a date specified in section 39.2, subsection 4,~~  
21 19 ~~paragraph "c" and held on the same day in each area. The~~  
21 20 ~~special election shall not be held within thirty days of any~~  
21 21 ~~general election.~~ Prior to the special election, the board of  
21 22 each merged area shall notify the county commissioner of  
21 23 elections of the county in which the greatest proportion of  
21 24 the merged area's taxable base is located who shall publish  
21 25 notice of the election according to section 49.53. The two  
21 26 respective county commissioners of elections shall conduct the  
21 27 election pursuant to the provisions of chapters 39 to 53. The  
21 28 votes cast in the election shall be canvassed by the county  
21 29 board of supervisors and the county ~~commissioners~~ commissioner  
21 30 of elections ~~who conducted the election of each county in the~~  
21 31 ~~merged areas~~ shall certify the results to the board of  
21 32 directors of each merged area.

21 33 Sec. 38. Section 275.18, unnumbered paragraph 1, Code  
21 34 2007, is amended to read as follows:  
21 35 When the boundaries of the territory to be included in a  
22 1 proposed school corporation and the number and method of the  
22 2 election of the school directors of the proposed school  
22 3 corporation have been determined as provided in this chapter,  
22 4 the area education agency administrator with whom the petition  
22 5 is filed shall give written notice of the ~~proposed date of the~~  
22 6 election to the county commissioner of elections of the county  
22 7 in the proposed school corporation which has the greatest  
22 8 taxable base. ~~The proposed date shall be as soon as possible~~  
22 9 ~~pursuant to section 39.2, subsections 1 and 2, and section~~  
22 10 ~~47.6, subsections 1 and 2, but not later than November 30 of~~  
22 11 ~~question shall be submitted to the voters at an election held~~  
22 12 ~~on a date specified in section 39.2, subsection 4, paragraph~~  
22 13 ~~"c" in the calendar year prior to the calendar year in which~~  
22 14 the reorganization will take effect.

22 15 Sec. 39. Section 275.23A, subsection 2, Code 2007, is  
22 16 amended to read as follows:  
22 17 2. Following each federal decennial census the school  
22 18 board shall determine whether the existing director district  
22 19 boundaries meet the standards in subsection 1 according to the  
22 20 most recent federal decennial census. In addition to the  
22 21 authority granted to voters to change the number of directors  
22 22 or method of election as provided in sections 275.35, 275.36,  
22 23 and 278.1, the board of directors of a school district may,  
22 24 following a federal decennial census, by resolution and in  
22 25 accordance with this section, authorize a change in the method  
22 26 of election as set forth in section 275.12, subsection 2, or a  
22 27 change to either five or seven directors after the board  
22 28 conducts a hearing on the resolution. If the board proposes  
22 29 to change the number of directors from seven to five  
22 30 directors, the resolution shall include a plan for reducing  
22 31 the number of directors. If the board proposes to increase  
22 32 the number of directors to seven directors, two directors  
22 33 shall be added according to the procedure described in section  
22 34 277.23, subsection 2. If necessary, the board of directors  
22 35 shall redraw the director district boundaries. The director  
23 1 district boundaries shall be described in the resolution  
23 2 adopted by the school board. The resolution shall be adopted  
23 3 no earlier than November 15 of the year immediately following  
23 4 the year in which the federal decennial census is taken nor  
23 5 later than May 15 of the second year immediately following the  
23 6 year in which the federal decennial census is taken. A copy  
23 7 of the plan shall be filed with the area education agency  
23 8 administrator of the area education agency in which the  
23 9 school's electors reside. If the board does not provide for  
23 10 an election as provided in sections 275.35, 275.36, and 278.1

23 11 and adopts a resolution to change the number of directors or  
23 12 method of election in accordance with this subsection, the  
23 13 district shall change the number of directors or method of  
23 14 election as provided unless, within twenty-eight days  
23 15 following the action of the board, the secretary of the board  
23 16 receives a petition containing the required number of  
23 17 signatures, asking that an election be called to approve or  
23 18 disapprove the action of the board in adopting the resolution.  
23 19 The petition must be signed by eligible electors equal in  
23 20 number to not less than one hundred or thirty percent of the  
23 21 number of voters at the last preceding regular school  
23 22 election, whichever is greater. The board shall either  
23 23 rescind its action or direct the county commissioner of  
23 24 elections to submit the question to the registered voters of  
23 25 the school district at ~~the next following regular school~~  
~~23 26 election or a special an election held on a date specified in~~  
23 27 section 39.2, subsection 4, paragraph "c". If a majority of  
23 28 those voting on the question at the election favors  
23 29 disapproval of the action of the board, the district shall not  
23 30 change the number of directors or method of election. If a  
23 31 majority of those voting on the question does not favor  
23 32 disapproval of the action, the board shall certify the results  
23 33 of the election to the department of management and the  
23 34 district shall change the number of directors or method of  
23 35 election as provided in this subsection. At the expiration of  
24 1 the twenty-eight-day period, if no petition is filed, the  
24 2 board shall certify its action to the department of management  
24 3 and the district shall change the number of directors or  
24 4 method of election as provided in this subsection.

24 5 Sec. 40. Section 275.24, Code 2007, is amended to read as  
24 6 follows:

24 7 275.24 EFFECTIVE DATE OF CHANGE.

24 8 When a school district is enlarged, reorganized, or changes  
24 9 its boundary pursuant to sections 275.12 to 275.22, the change  
24 10 shall take effect on July 1 following the date of the  
24 11 reorganization election held pursuant to section 275.18 ~~if the~~  
~~24 12 election was held by the prior November 30. Otherwise the~~  
~~24 13 change shall take effect on July 1 one year later.~~

24 14 Sec. 41. Section 275.35, unnumbered paragraph 1, Code  
24 15 2007, is amended to read as follows:

24 16 ~~Any existing or hereafter created or enlarged~~ A school  
24 17 district may change the number of directors to either five or  
24 18 seven and may also change its method of election of school  
24 19 directors to any method authorized by section 275.12 by  
24 20 submission of a proposal, stating the proposed new method of  
24 21 election, by the school board of such district to the electors  
24 22 at ~~any regular or special school an election held on a date~~  
~~24 23 specified in section 39.2, subsection 4, paragraph "c"~~. The  
24 24 school board shall notify the county commissioner of elections  
24 25 who shall publish notice of the election in the manner  
24 26 provided in section 49.53. The election shall be conducted  
24 27 pursuant to chapters 39 ~~to~~ through 53 by the county  
24 28 commissioner of elections. Such proposal shall be adopted if  
24 29 it is approved by a majority of the votes cast on the  
24 30 proposition.

24 31 Sec. 42. Section 275.36, unnumbered paragraph 1, Code  
24 32 2007, is amended to read as follows:

24 33 If a petition for a change in the number of directors or in  
24 34 the method of election of school directors is filed with the  
24 35 school board of a school district pursuant to the requirements  
25 1 of section 278.2, the school board shall submit such  
25 2 proposition to the voters at ~~the regular school an election or~~  
~~25 3 a special election held not later than February 1 held on a~~  
~~25 4 date specified in section 39.2, subsection 4, paragraph "c"~~.

25 5 The petition shall be accompanied by an affidavit as required  
25 6 by section 275.13. If a proposition for a change in the  
25 7 number of directors or in the method of election of school  
25 8 directors submitted to the voters under this section is  
25 9 rejected, it shall not be resubmitted to the voters of the  
25 10 district in substantially the same form within the next three  
25 11 years; if it is approved, no other proposal may be submitted  
25 12 to the voters of the district under this section within the  
25 13 next six years.

25 14 Sec. 43. Section 275.38, Code 2007, is amended to read as  
25 15 follows:

25 16 275.38 IMPLEMENTING CHANGED METHOD OF ELECTION.

25 17 If change in the method of election of school directors is  
25 18 approved at ~~a regular or special school an~~ election, the  
25 19 directors who were serving unexpired terms or were elected  
25 20 concurrently with approval of the change of method shall serve  
25 21 out the terms for which they were elected. If the plan

25 22 adopted is that described in section 275.12, subsection 2,  
25 23 paragraph "b," "c," "d," or "e," "b," "c," "d," or "e", the  
25 24 board shall at the earliest practicable time designate the  
25 25 districts from which residents are to be elected as school  
25 26 directors at each of the next three succeeding annual school  
25 27 elections, arranging so far as possible for elections of  
25 28 directors as residents of the respective districts to coincide  
25 29 with the expiration of terms of incumbent members residing in  
25 30 those districts. If an increase in the size of the board from  
25 31 five to seven members is approved concurrently with the change  
25 32 in method of election of directors, the board shall make the  
25 33 necessary adjustment in the manner prescribed in section  
25 34 275.37, as well as providing for implementation of the  
25 35 districting plan under this section.

26 1 Sec. 44. Section 275.55, unnumbered paragraphs 1 and 2,  
26 2 Code 2007, are amended to read as follows:

26 3 ~~The~~ After the final hearing on the dissolution proposal,  
26 4 ~~the board of the school district shall call a special election~~  
26 5 ~~to be held not later than forty days following the date of the~~  
26 6 ~~final hearing on the dissolution proposal~~ submit the  
26 7 proposition to the voters at an election held on a date  
26 8 specified in section 39.2, subsection 4, paragraph "c". ~~The~~  
26 9 ~~special election may be held at the same time as the regular~~  
26 10 ~~school election.~~ The proposition submitted to the voters  
26 11 residing in the school district ~~at the special election~~ shall  
26 12 describe each separate area to be attached to a contiguous  
26 13 school district and shall name the school district to which it  
26 14 will be attached. In addition to the description, a map may  
26 15 be included in the summary of the question on the ballot.  
26 16 The board shall give written notice of the proposed date of  
26 17 the election to the county commissioner of elections. ~~The~~  
26 18 ~~proposed date shall be pursuant to section 39.2, subsections 1~~  
26 19 ~~and 2 and section 47.6, subsections 1 and 2.~~ The county  
26 20 commissioner of elections shall give notice of the election by  
26 21 one publication in the same newspaper in which the previous  
26 22 notice was published about the hearing, which publication  
26 23 shall not be less than four nor more than twenty days prior to  
26 24 the election.

26 25 Sec. 45. Section 277.2, Code 2007, is amended by striking  
26 26 the section and inserting in lieu thereof the following:

26 27 277.2 ELECTIONS ON PUBLIC MEASURES.

26 28 Unless otherwise stated, the date of an election on a  
26 29 public measure authorized to be held by a school district is  
26 30 limited to the dates specified in section 39.2, subsection 4,  
26 31 paragraph "c".

26 32 Sec. 46. Section 278.1, unnumbered paragraph 2, Code 2007,  
26 33 is amended to read as follows:

26 34 The board may, with approval of sixty percent of the  
26 35 voters, voting in ~~a regular or special~~ an election in the  
27 1 school district, make extended time contracts not to exceed  
27 2 twenty years in duration for rental of buildings to supplement  
27 3 existing schoolhouse facilities; and where it is deemed  
27 4 advisable for buildings to be constructed or placed on real  
27 5 estate owned by the school district, these contracts may  
27 6 include lease-purchase option agreements, the amounts to be  
27 7 paid out of the physical plant and equipment levy fund. ~~The~~  
27 8 election shall be held on a date specified in section 39.2,  
27 9 subsection 4, paragraph "c".

27 10 Sec. 47. Section 279.39, Code 2007, is amended to read as  
27 11 follows:

27 12 279.39 SCHOOL BUILDINGS.

27 13 The board of any school corporation shall establish  
27 14 attendance centers and provide suitable buildings for each  
27 15 school in the district and may at the regular or a special  
27 16 meeting ~~call a special election~~ resolve to submit to the  
27 17 registered voters of the district at an election held on a  
27 18 date specified in section 39.2, subsection 4, paragraph "c".  
27 19 the question of voting a tax or authorizing the board to issue  
27 20 bonds, or both.

27 21 Sec. 48. Section 297.11, Code 2007, is amended to read as  
27 22 follows:

27 23 297.11 USE FORBIDDEN.

27 24 If ~~at any time~~ the voters of such district at a regular  
27 25 election forbid such use of any such schoolhouse or grounds,  
27 26 the board shall not ~~thereafter~~ permit such use until the ~~said~~  
27 27 action of such voters ~~shall have been~~ is rescinded by the  
27 28 voters at ~~a regular an~~ an election, ~~or at a special election~~  
27 29 ~~called for that purpose~~ held on a date specified in section  
27 30 39.2, subsection 4, paragraph "c".

27 31 Sec. 49. Section 298.9, Code 2007, is amended to read as  
27 32 follows:

27 33 298.9 SPECIAL LEVIES.

27 34 If the voter-approved physical plant and equipment levy,  
27 35 consisting solely of a physical plant and equipment property  
28 1 tax levy, is ~~voted at a special approved by the voters at the~~  
28 2 ~~regular school~~ election and certified to the board of  
28 3 supervisors after the regular levy is made, the board shall at  
28 4 its next regular meeting levy the tax and cause it to be  
28 5 entered upon the tax list to be collected as other school  
28 6 taxes. If the certification is filed prior to May 1, the  
28 7 annual levy shall begin with the tax levy of the year of  
28 8 filing. If the certification is filed after May 1 in a year,  
28 9 the levy shall begin with the levy of the fiscal year  
28 10 succeeding the year of the filing of the certification.

28 11 Sec. 50. Section 298.18, unnumbered paragraphs 4 and 6,  
28 12 Code 2007, are amended to read as follows:

28 13 The amount estimated and certified to apply on principal  
28 14 and interest for any one year may exceed two dollars and  
28 15 seventy cents per thousand dollars of assessed value by the  
28 16 amount approved by the voters of the school corporation, but  
28 17 not exceeding four dollars and five cents per thousand of the  
28 18 assessed value of the taxable property within any school  
28 19 corporation, provided that the registered voters of such  
28 20 school corporation have first approved such increased amount  
28 21 at a ~~special election, which may be held at the same time as~~  
28 22 ~~the regular school~~ an election held on a date specified in  
28 23 section 39.2, subsection 4, paragraph "c". The proposition  
28 24 submitted to the voters at such ~~special~~ election shall be in  
28 25 substantially the following form:

28 26 Notice of the election shall be given by the county  
28 27 commissioner of elections according to section 49.53. ~~The~~  
28 28 ~~election shall be held on a date not less than four nor more~~  
28 29 ~~than twenty days after the last publication of the notice. At~~  
28 30 ~~such election the ballot used for the submission of said~~  
28 31 ~~proposition shall be in substantially the form for submitting~~  
28 32 ~~special questions at general elections. The county~~  
28 33 commissioner of elections shall conduct the election pursuant  
28 34 to the provisions of chapters 39 ~~to through~~ 53 and certify the  
28 35 results to the board of directors. ~~Such~~ The proposition shall  
29 1 not be deemed carried or adopted unless the vote in favor of  
29 2 such proposition is equal to at least sixty percent of the  
29 3 total vote cast for and against ~~said the~~ proposition at ~~said~~  
29 4 the election. Whenever such a proposition has been approved  
29 5 by the voters of a school corporation as hereinbefore  
29 6 provided, no further approval of the voters of such school  
29 7 corporation shall be required as a result of any subsequent  
29 8 change in the boundaries of such school corporation.

29 9 Sec. 51. Section 298.18A, subsection 2, Code 2007, is  
29 10 amended to read as follows:

29 11 2. The adjustment shall not result in a total amount  
29 12 levied in excess of the two dollar and seventy cent per  
29 13 thousand dollars of assessed valuation limit provided in  
29 14 section 298.18. An adjustment in excess of the two dollar and  
29 15 seventy cent per thousand dollars of assessed valuation limit  
29 16 shall be subject to the ~~special~~ election provisions for  
29 17 increases of up to four dollars and five cents per thousand  
29 18 dollars of assessed valuation provisions of section 298.18.

29 19 Sec. 52. Section 298.21, unnumbered paragraph 1, Code  
29 20 2007, is amended to read as follows:

29 21 The board of directors of any school corporation when  
29 22 authorized by the voters at ~~the regular an election or at a~~  
29 23 ~~special election called for that purpose held on a date~~  
29 24 specified in section 39.2, subsection 4, paragraph "c", may  
29 25 issue the negotiable, interest-bearing school bonds of ~~said~~  
29 26 the corporation for borrowing money for any or all of the  
29 27 following purposes:

29 28 Sec. 53. Section 300.2, unnumbered paragraph 1, Code 2007,  
29 29 is amended to read as follows:

29 30 The board of directors of a school district may, and upon  
29 31 receipt of a petition signed by eligible electors equal in  
29 32 number to at least twenty-five percent of the number of voters  
29 33 at the last preceding school election, shall, direct the  
29 34 county commissioner of elections to submit to the registered  
29 35 voters of the school district the question of whether to levy  
30 1 a tax of not to exceed thirteen and one-half cents per  
30 2 thousand dollars of assessed valuation for public educational  
30 3 and recreational activities authorized under this chapter. ~~If~~  
30 4 ~~at the time of filing the petition, it is more than three~~  
30 5 ~~months until the next regular school election, the board of~~  
30 6 ~~directors shall submit the question at a special election~~  
30 7 ~~within sixty days. Otherwise, the~~ The question shall be  
30 8 submitted at the next regular school an election held on a

30 9 date specified in section 39.2, subsection 4, paragraph "c".

30 10 Sec. 54. Section 330.17, unnumbered paragraph 1, Code  
30 11 2007, is amended to read as follows:

30 12 The council of any city or county which owns or acquires an  
30 13 airport may, and upon the council's receipt of a valid  
30 14 petition as provided in section 362.4, or receipt of a  
30 15 petition by the board of supervisors as provided in section  
30 16 331.306 shall, ~~at a regular city election or a general~~  
~~30 17 election if one is to be held within seventy-four days from~~  
~~30 18 the filing of the petition, or otherwise at a special an~~  
30 19 election called for that purpose held on a date specified in  
30 20 section 39.2, subsection 4, paragraph "a" or "b", as

30 21 applicable, submit to the voters the question as to whether  
30 22 the management and control of the airport shall be placed in  
30 23 an airport commission. If a majority of the voters favors  
30 24 placing the management and control of the airport in an  
30 25 airport commission, the commission shall be established as  
30 26 provided in this chapter.

30 27 Sec. 55. NEW SECTION. 331.309 ELECTIONS ON PUBLIC  
30 28 MEASURES.

30 29 Unless otherwise stated, the dates of elections on public  
30 30 measures authorized in this chapter are limited to those  
30 31 specified for counties in section 39.2.

30 32 Sec. 56. Section 346.27, subsection 10, unnumbered  
30 33 paragraph 1, Code 2007, is amended to read as follows:

30 34 After the incorporation of an authority, and before the  
30 35 sale of any issue of revenue bonds, except refunding bonds,  
31 1 the authority shall ~~call an election to decide~~ submit to the  
31 2 voters the question of whether the authority shall issue and  
31 3 sell revenue bonds. The ballot shall state the amount of the  
31 4 bonds and the purposes for which the authority is  
31 5 incorporated. All registered voters of the county shall be  
31 6 entitled to vote on the question. The question may be  
31 7 submitted at a ~~general election or at a special an~~ election  
31 8 held on a date specified in section 39.2, subsection 4,  
31 9 paragraph "a" or "b", as applicable. An affirmative vote of a

31 10 majority of the votes cast on the question is required to  
31 11 authorize the issuance and sale of revenue bonds.

31 12 Sec. 57. Section 347.13, subsection 12, unnumbered  
31 13 paragraph 1, Code 2007, is amended to read as follows:

31 14 Submit to the voters at ~~any regular or special an~~ election  
31 15 held on a date specified in section 39.2, subsection 4,  
31 16 paragraph "a", a proposition to sell or lease any sites and  
31 17 buildings, excepting those described in subsection 11 ~~hereof,~~  
31 18 and upon such proposition being carried by a majority of the  
31 19 total number of votes cast at such election, may proceed to  
31 20 sell such property at either public or private sale, and apply  
31 21 the proceeds only for:

31 22 Sec. 58. Section 347.14, subsection 15, unnumbered  
31 23 paragraph 1, Code 2007, is amended to read as follows:

31 24 Submit to the voters at a ~~regular or special an~~ election  
31 25 held on a date specified in section 39.2, subsection 4,  
31 26 paragraph "a", a proposition to sell or lease a county public  
31 27 hospital for use as a private hospital or as a merged area  
31 28 hospital under chapter 145A or to sell or lease a county  
31 29 hospital in conjunction with the establishment of a merged  
31 30 area hospital. The authorization of the board of hospital  
31 31 trustees submitting the proposition may, but is not required  
31 32 to, contain conditions which provide for maintaining hospital  
31 33 care within the county, for the retention of a merged  
31 34 hospital employees and staff, and for the continuation of the  
31 35 board of trustees for the purpose of carrying out provisions  
32 1 of contracts. The property listed in section 347.13,  
32 2 subsection 11, may be included in the proposition, but the  
32 3 proceeds from the property shall be used for the purposes  
32 4 listed in section 347.13, subsection 12, or for the purpose of  
32 5 providing health care for residents of the county. Proceeds  
32 6 from the sale or lease of the county hospital or other assets  
32 7 of the board of trustees shall not be used for the prepayment  
32 8 of health care services for residents of the county with the  
32 9 purchaser or lessee of the county hospital or to underwrite  
32 10 the sale or lease of the county hospital. The proposition  
32 11 submitted to the voters of the county shall not be set forth  
32 12 at length, but it shall be in substantially the following  
32 13 form:

32 14 Sec. 59. Section 347.23, unnumbered paragraph 1, Code  
32 15 2007, is amended to read as follows:

32 16 Any hospital organized and existing as a city hospital may  
32 17 become a county hospital organized and managed as provided for  
32 18 in this chapter, upon a proposition for such purpose being  
32 19 submitted to and approved by a majority of the electors of

32 20 both the city in which such hospital is located and of the  
32 21 county under whose management it is proposed that such  
32 22 hospital be placed, ~~at any general or special election called~~  
~~32 23 for such purpose.~~ The proposition shall be placed upon the  
32 24 ballot by the board of supervisors when requested by a  
32 25 petition signed by eligible electors of the county equal in  
32 26 number to five percent of the votes cast for president of the  
32 27 United States or governor, as the case may be, at the last  
32 28 general election. The proposition ~~may~~ shall be submitted at  
32 29 ~~the next general election or at a special an election called~~  
~~32 30 for that purpose held on a date specified in section 39.2,~~  
32 31 subsection 4, paragraph "a". Upon the approval of the

32 32 proposition the hospital, its assets and liabilities, will  
32 33 become the property of the county and this chapter will govern  
32 34 its future management. The question shall be submitted in  
32 35 substantially the following form: "Shall the municipal  
33 1 hospital of ....., Iowa, be transferred to and become the  
33 2 property of, and be managed by the county of ....., Iowa?"

33 3 Sec. 60. Section 347.23A, subsection 1, Code 2007, is  
33 4 amended to read as follows:

33 5 1. A hospital established as a memorial hospital under  
33 6 chapter 37 or a county hospital supported by revenue bonds and  
33 7 organized under chapter 347A may become, in accordance with  
33 8 the provisions of this section, a county hospital organized  
33 9 and managed as provided for in this chapter. If the hospital  
33 10 is established by a city as a memorial hospital, the city must  
33 11 be located in the county which will own and manage the  
33 12 hospital. A proposition for the change must be submitted to  
33 13 and approved by a majority of the electors of the county which  
33 14 will own and manage the hospital as provided for in this  
33 15 chapter. In addition, if the hospital is a memorial hospital  
33 16 organized by a city under chapter 37, the proposition must  
33 17 also be approved by a majority of the electors of that city.  
33 18 The proposition ~~may~~ shall be submitted to the electors at ~~any~~  
~~33 19 general or special an election~~ called by the county board of  
33 20 supervisors ~~for this purpose and held on a date specified in~~  
33 21 section 39.2, subsection 4, paragraph "a".

33 22 Sec. 61. NEW SECTION. 362.11 ELECTIONS ON PUBLIC  
33 23 MEASURES.

33 24 Unless otherwise stated, the dates of elections on public  
33 25 measures authorized in the city code are limited to those  
33 26 specified for cities in section 39.2.

33 27 Sec. 62. Section 368.19, unnumbered paragraph 1, Code  
33 28 2007, is amended to read as follows:

33 29 The committee shall approve or disapprove the petition or  
33 30 plan as amended, within ninety days of the final hearing, and  
33 31 shall file its decision for record and promptly notify the  
33 32 parties to the proceeding of its decision. If a petition or  
33 33 plan is approved, the board shall ~~set a date not less than~~  
~~33 34 thirty days nor more than ninety days after approval for a~~  
~~33 35 special submit the proposal at an election on the proposal~~  
34 1 held on a date specified in section 39.2, subsection 4,  
34 2 paragraph "a" or "b", whichever is applicable, and the county  
34 3 commissioner of elections shall conduct the election. In a  
34 4 case of incorporation or discontinuance, registered voters of  
34 5 the territory or city may vote, and the proposal is authorized  
34 6 if a majority of those voting approves it. In a case of  
34 7 annexation or severance, registered voters of the territory  
34 8 and of the city may vote, and the proposal is authorized if a  
34 9 majority of the total number of persons voting approves it.  
34 10 In a case of consolidation, registered voters of each city to  
34 11 be consolidated may vote, and the proposal is authorized only  
34 12 if it receives a favorable majority vote in each city. The  
34 13 county commissioner of elections shall publish notice of the  
34 14 election as provided in section 49.53 and shall conduct the  
34 15 election in the same manner as other special ~~city~~ elections.

34 16 Sec. 63. Section 372.2, subsection 2, unnumbered paragraph  
34 17 1, Code 2007, is amended to read as follows:

34 18 Within fifteen days after receiving a valid petition, the  
34 19 council shall publish notice of the date that a special ~~city~~  
34 20 election will be held to determine whether the city shall  
34 21 change to a different form of government. The election date  
34 22 shall be ~~not more than sixty days after the publication as~~  
34 23 specified in section 39.2, subsection 4, paragraph "b". If  
34 24 the next election date specified in that paragraph is more  
34 25 than sixty days after the publication, the council shall  
34 26 publish another notice fifteen days before the election. The  
34 27 notice shall include a statement that the filing of a petition  
34 28 for appointment of a home rule charter commission will delay  
34 29 the election until after the home rule charter commission has  
34 30 filed a proposed charter. Petition requirements and filing

34 31 deadlines shall also be included in the notice.

34 32 Sec. 64. Section 372.3, Code 2007, is amended to read as  
34 33 follows:

34 34 372.3 HOME RULE CHARTER.

34 35 If a petition for appointment of a home rule charter  
35 1 commission is filed with the city clerk not more than ten days  
35 2 after the council has published the first notice announcing  
35 3 the date of the special election on adoption of another form  
35 4 of government, the special election shall not be held until  
35 5 the charter proposed by the home rule charter commission is  
35 6 filed. Both forms must be published as provided in section  
35 7 372.9 and submitted to the voters at the special election.

35 8 Sec. 65. Section 372.9, subsection 3, Code 2007, is  
35 9 amended to read as follows:

35 10 3. The proposed home rule charter must be submitted at a  
35 11 special ~~city~~ election on a date ~~selected by the mayor and~~  
~~35 12 council specified in section 39.2, subsection 4, paragraph~~  
~~35 13 "b", and in accordance with section 47.6. However, the date~~  
35 14 of the election last publication must be not less than thirty  
35 15 nor more than sixty days ~~after~~ before the ~~last publication of~~  
~~35 16 the proposed home rule charter election.~~

35 17 Sec. 66. Section 372.13, subsection 11, unnumbered  
35 18 paragraph 1, Code Supplement 2007, is amended to read as  
35 19 follows:

35 20 Council members shall be elected according to the council  
35 21 representation plans under sections 372.4 and 372.5. However,  
35 22 the council representation plan may be changed, by petition  
35 23 and election, to one of those described in this subsection.  
35 24 Upon receipt of a valid petition, as defined in section 362.4,  
35 25 requesting a change to a council representation plan, the  
35 26 council shall submit the question at a special ~~city~~ election  
35 27 ~~to be held within sixty days~~. If a majority of the persons  
35 28 voting at the special election approves the changed plan, it  
35 29 becomes effective at the beginning of the term following the  
35 30 next regular city election. If a majority does not approve  
35 31 the changed plan, the council shall not submit another  
35 32 proposal to change a plan to the voters within the next two  
35 33 years.

35 34 Sec. 67. Section 376.2, unnumbered paragraph 2, Code 2007,  
35 35 is amended to read as follows:

36 1 Except as otherwise provided by state law or the city  
36 2 charter, terms for elective offices are two years. However,  
36 3 the term of an elective office may be changed to two or four  
36 4 years by petition and election. Upon receipt of a valid  
36 5 petition as defined in section 362.4, requesting that the term  
36 6 of an elective office be changed, the council shall submit the  
36 7 question at a special ~~city~~ election ~~to be held within sixty~~  
~~36 8 days after the petition is received. The special election~~  
~~36 9 shall be held more than ninety days before the regular city~~  
~~36 10 election if the change shall go into effect at the next~~  
~~36 11 regular city election.~~ If a majority of the persons voting at  
36 12 the special election approves the changed term, it becomes  
36 13 effective at the beginning of the term following the next  
36 14 regular city election. If a majority does not approve the  
36 15 changed term, the council shall not submit the same proposal  
36 16 to the voters within the next four years.

36 17 Sec. 68. Section 423B.1, subsection 5, Code Supplement  
36 18 2007, is amended to read as follows:

36 19 5. The county commissioner of elections shall submit the  
36 20 question of imposition of a local option tax at ~~a state~~  
~~36 21 general election or at a special an election held at any time~~  
~~36 22 other than the time of a city regular election on a date~~  
~~36 23 specified in section 39.2, subsection 4, paragraph "a".~~ The  
36 24 election shall not be held sooner than sixty days after  
36 25 publication of notice of the ballot proposition. The ballot  
36 26 proposition shall specify the type and rate of tax and in the  
36 27 case of a vehicle tax the classes that will be exempt and in  
36 28 the case of a local sales and services tax the date it will be  
36 29 imposed which date shall not be earlier than ninety days  
36 30 following the election. The ballot proposition shall also  
36 31 specify the approximate amount of local option tax revenues  
36 32 that will be used for property tax relief and shall contain a  
36 33 statement as to the specific purpose or purposes for which the  
36 34 revenues shall otherwise be expended. If the county board of  
36 35 supervisors decides under subsection 6 to specify a date on  
37 1 which the local option sales and services tax shall  
37 2 automatically be repealed, the date of the repeal shall also  
37 3 be specified on the ballot. The rate of the vehicle tax shall  
37 4 be in increments of one dollar per vehicle as set by the  
37 5 petition seeking to impose the tax. The rate of a local sales  
37 6 and services tax shall not be more than one percent as set by

37 7 the governing body. The state commissioner of elections shall  
37 8 establish by rule the form for the ballot proposition which  
37 9 form shall be uniform throughout the state.

37 10 Sec. 69. Section 423E.2, subsection 2, paragraph a, Code  
37 11 Supplement 2007, is amended to read as follows:

37 12 a. Upon receipt by a county board of supervisors of a  
37 13 petition requesting imposition of a local sales and services  
37 14 tax for infrastructure purposes, signed by eligible electors  
37 15 of the whole county equal in number to five percent of the  
37 16 persons in the whole county who voted at the last preceding  
37 17 state general election, the board shall within thirty days  
37 18 direct the county commissioner of elections to submit the  
37 19 question of imposition of the tax to the registered voters of  
37 20 the whole county at an election held on a date specified in  
37 21 section 39.2, subsection 4, paragraph "a".

37 22 Sec. 70. Section 423E.2, subsection 3, Code Supplement  
37 23 2007, is amended to read as follows:

37 24 3. The county commissioner of elections shall submit the  
37 25 question of imposition of a local sales and services tax for  
37 26 school infrastructure purposes at ~~a state general election or~~  
~~37 27 at a special an election held at any time other than the time~~  
~~37 28 of a city regular election on a date specified in section~~  
37 29 39.2, subsection 4, paragraph "a". The election shall not be  
37 30 held sooner than sixty days after publication of notice of the  
37 31 ballot proposition. The ballot proposition shall specify the  
37 32 rate of tax, the date the tax will be imposed and repealed,  
37 33 and shall contain a statement as to the specific purpose or  
37 34 purposes for which the revenues shall be expended. The  
37 35 content of the ballot proposition shall be substantially  
38 1 similar to the petition of the board of supervisors or motions  
38 2 of a school district or school districts requesting the  
38 3 election as provided in subsection 2, as applicable, including  
38 4 the rate of tax, imposition and repeal ~~date dates~~, and the  
38 5 specific purpose or purposes for which the revenues will be  
38 6 expended. The dates for the imposition and repeal of the tax  
38 7 shall be as provided in subsection 1. The rate of tax shall  
38 8 not be more than one percent. The state commissioner of  
38 9 elections shall establish by rule the form for the ballot  
38 10 proposition which form shall be uniform throughout the state.

38 11 Sec. 71. APPLICABILITY DATE. This division of this Act  
38 12 applies to elections held on or after January 1, 2009.

#### 38 13 DIVISION IV

#### 38 14 VOTER REGISTRATION

38 15 Sec. 72. NEW SECTION. 44.18 AFFILIATION ON VOTER  
38 16 REGISTRATION FORM.

38 17 1. A nonparty political organization that nominated a  
38 18 candidate whose name appeared on the general election ballot  
38 19 for a federal office, for governor, or for any other statewide  
38 20 elective office in any of the preceding ten years may request  
38 21 registration of voters showing their affiliation with the  
38 22 nonparty political organization pursuant to this section.

38 23 2. The organization shall file the following documents  
38 24 with the state registrar of voters on or before December 1 of  
38 25 an even-numbered year:

38 26 a. A petition in the form prescribed by the registrar and  
38 27 signed by no fewer than eight hundred fifty eligible electors  
38 28 residing in at least five counties in the state. The petition  
38 29 shall include the official name of the organization; the  
38 30 organization's name as the organization requests it to appear  
38 31 on the voter registration form if different from the  
38 32 organization's official name; and the name, address, and  
38 33 telephone number of the contact person for the organization.  
38 34 Each person who signs the petition shall include the person's  
38 35 signature, printed name, residence address with house number,  
39 1 street name, city, and county, and the date the person signed  
39 2 the petition.

39 3 b. A copy of the nonparty political organization's  
39 4 articles of incorporation, bylaws, constitution, or other  
39 5 document relating to establishment of the organization. Such  
39 6 copy shall be certified as a true copy of the original by the  
39 7 custodian of the original document.

39 8 c. An application form prescribed by the state registrar  
39 9 of voters. The form shall include all of the following:

39 10 (1) The official name of the nonparty political  
39 11 organization.

39 12 (2) The name, address, and telephone number of the contact  
39 13 person for the organization who is responsible for the  
39 14 application.

39 15 (3) The signature of the chief executive officer of the  
39 16 organization approving the application.

39 17 (4) The organization's name as the organization requests

39 18 it to appear on the voter registration form if different from  
39 19 the organization's official name.

39 20 3. The nonparty political organization's name and its name  
39 21 as listed on the voter registration form shall conform to the  
39 22 requirements of section 43.121. The registrar shall not  
39 23 invalidate the application solely because the registrar finds  
39 24 the official name of the organization or the name to be  
39 25 included on the voter registration form to be unacceptable.  
39 26 If the registrar finds the name to be unacceptable, the  
39 27 registrar shall contact the organization and provide  
39 28 assistance in identifying an appropriate official name for the  
39 29 organization and for identifying the organization on the voter  
39 30 registration form. A determination by the registrar that the  
39 31 official name or voter registration form name requested is  
39 32 acceptable for use within the voter registration system is  
39 33 final.

39 34 4. The registrar and the voter registration commission may  
39 35 require biennial filings to update contact information.

40 1 5. Beginning in January 2011, and each odd-numbered year  
40 2 thereafter, the registrar and the voter registration  
40 3 commission may review the number of voters registered as  
40 4 affiliated with a nonparty political organization. If the  
40 5 number of registrants, including both active and inactive  
40 6 voters, is fewer than 150, the commission shall declare the  
40 7 organization to be dormant for purposes of voter registration  
40 8 and may revise the voter registration form and instructions  
40 9 and electronic voter registration system to remove the  
40 10 organization from the list of nonparty political organizations  
40 11 with which a voter may register as affiliated. However, a  
40 12 change shall not be made to the record of political  
40 13 affiliation of individual registrants unless the registrant  
40 14 requests the change.

40 15 6. If a political party, as defined in section 43.2, fails  
40 16 to receive a sufficient number of votes in a general election  
40 17 to retain status as a political party and the former political  
40 18 party organizes as a nonparty political organization, the  
40 19 organization may request registration of voters showing their  
40 20 affiliation with the organization. A change shall not be made  
40 21 to the record of political party affiliation of individual  
40 22 registrants unless the registrant requests the change.

40 23 Sec. 73. Section 48A.7A, subsection 1, paragraph b,  
40 24 subparagraph (2), unnumbered paragraph 1, Code Supplement  
40 25 2007, is amended to read as follows:

40 26 If the photographic identification presented does not  
40 27 contain the person's current address in the precinct, the  
40 28 person shall also present one of the following documents that  
40 29 shows the person's name and current address in the precinct:

40 30 Sec. 74. Section 48A.7A, subsection 3, Code Supplement  
40 31 2007, is amended to read as follows:

40 32 3. At any time before election day, and after the deadline  
40 33 for registration in section 48A.9, a person who appears in  
40 34 person at the commissioner's office or at a satellite absentee  
40 35 voting station after the deadline for registration in section  
41 1 48A.9, or whose ballot is delivered to a health care facility

41 2 pursuant to section 53.22 may register to vote and vote an  
41 3 absentee ballot by following the procedure in this section for  
41 4 registering to vote on election day. A person who wishes to  
41 5 vote in person at the polling place on election day and who  
41 6 has not registered to vote before the deadline for registering  
41 7 in section 48A.9, is required to register to vote at the  
41 8 polling place on election day following the procedure in this  
41 9 section. However, the person may complete the voter  
41 10 registration application at the commissioner's office and,  
41 11 after the commissioner has reviewed the completed application,  
41 12 may present the application to the appropriate precinct  
41 13 election official along with proof of identity and residency.

41 14 Sec. 75. Section 48A.7A, subsection 4, paragraph b, Code  
41 15 Supplement 2007, is amended to read as follows:

41 16 b. The form of the written oath required of a person  
41 17 attesting to the identity and residency of the registrant  
41 18 shall read as follows:

41 19 I, ..... (name of registered voter), do solemnly swear or  
41 20 affirm all of the following:

41 21 I am a preregistered voter in this precinct or I registered  
41 22 to vote in this precinct today, and a registered voter did not  
41 23 sign an oath on my behalf. I have not signed an oath  
41 24 attesting to the identity and residence of any other person in  
41 25 this election.

41 26 I am a resident of the ... precinct, ... ward or township,  
41 27 city of ....., county of ....., Iowa.

41 28 I reside at ..... (street address) in ..... (city or

41 29 township).

41 30 I personally know ..... (name of registrant), and I

41 31 personally know that ..... (name of registrant) is a resident

41 32 of the ... precinct, ..... ward or township, city of .....,

41 33 county of ....., Iowa.

41 34 I understand that any false statement in this oath is a

41 35 class "D" felony punishable by no more than five years in

42 1 confinement and a fine of at least seven hundred fifty dollars

42 2 but not more than seven thousand five hundred dollars.

42 3 .....

42 4 Signature of Registered Voter

42 5 Subscribed and sworn before me on ..... (date).

42 6 .....

42 7 Signature of Precinct Election Official

42 8 Sec. 76. Section 48A.11, subsection 1, paragraph i, Code

42 9 Supplement 2007, is amended to read as follows:

42 10 i. Political party registration affiliation as defined in

42 11 section 43.2 or nonparty political organization affiliation if

42 12 approved for inclusion on the form pursuant to section 44.18.

42 13 Sec. 77. Section 48A.11, subsection 1, paragraph k, Code

42 14 Supplement 2007, is amended by striking the paragraph.

42 15 Sec. 78. Section 48A.12, unnumbered paragraph 1, Code

42 16 2007, is amended to read as follows:

42 17 The mail voter registration form prescribed by the federal

42 18 election assistance commission shall be accepted for voter

42 19 registration in Iowa if all required information is provided,

42 20 if it is signed by the registrant, and if the form is timely

42 21 received.

42 22 Sec. 79. Section 48A.26, subsection 4, Code 2007, is

42 23 amended to read as follows:

42 24 4. If the registrant applied by mail to register to vote

42 25 and did not answer either "yes" or "no" to the question in

42 26 section 48A.11, subsection 3, paragraph "a", the application

42 27 shall be processed, ~~but the registration shall be designated~~

42 28 ~~as valid only for elections that do not include candidates for~~

42 29 ~~federal offices on the ballot. The acknowledgment shall~~

42 30 ~~advise the applicant that the status of the registration is~~

42 31 ~~local and the reason for the registration being assigned local~~

42 32 ~~status. The commissioner shall enclose a new registration by~~

42 33 ~~mail form for the applicant to use. If the original~~

42 34 ~~application is received during the twelve days before the~~

42 35 ~~close of registration for an election that includes candidates~~

43 1 ~~for federal offices on the ballot, the commissioner shall~~

43 2 ~~provide the registrant with an opportunity to complete the~~

43 3 ~~form before the close of registration. If the application is~~

43 4 ~~complete and proper in all other respects and information on~~

43 5 ~~the application is verified, as required by section 48A.25A,~~

43 6 ~~the applicant shall be registered to vote and sent an~~

43 7 ~~acknowledgment.~~

43 8 Sec. 80. Section 48A.27, subsection 2, paragraph b, Code

43 9 2007, is amended to read as follows:

43 10 b. If a registered voter submits a change of name,

43 11 telephone number, or address is submitted under this

43 12 subsection, the commissioner shall not change the political

43 13 party or nonparty political organization affiliation in the

43 14 elector's registered voter's prior registration other than

43 15 that indicated by the elector registered voter.

43 16 Sec. 81. Section 48A.37, subsection 2, Code Supplement

43 17 2007, is amended to read as follows:

43 18 2. Electronic records shall include a status code

43 19 designating whether the records are active, inactive, ~~local,~~

43 20 ~~or pending, or canceled.~~ Inactive records are records of

43 21 registered voters to whom notices have been sent pursuant to

43 22 section 48A.28, subsection 3, and who have not returned the

43 23 card or otherwise responded to the notice, and those records

43 24 have been designated inactive pursuant to section 48A.29.

43 25 Inactive records are also records of registered voters to whom

43 26 notices have been sent pursuant to section 48A.26A and who

43 27 have not responded to the notice. ~~Local records are records~~

43 28 ~~of applicants who did not answer either "yes" or "no" to the~~

43 29 ~~question in section 48A.11, subsection 3, paragraph "a".~~

43 30 Pending records are records of applicants whose applications

43 31 have not been verified pursuant to section 48A.25A. Canceled

43 32 records are records that have been canceled pursuant to

43 33 section 48A.30. All other records are active records. An

43 34 inactive record shall be made active when the registered voter

43 35 votes at an election, registers again, or reports a change of

44 1 name, address, telephone number, or political party or

44 2 organization affiliation. A pending record shall be made

44 3 active upon verification. A local record shall be valid for

44 4 any election for which no candidates for federal office appear

~~44 5 on the ballot. A registrant with only a local record shall~~  
~~44 6 not vote in a federal election unless the registrant submits a~~  
~~44 7 new voter registration application before election day~~  
~~44 8 indicating that the applicant is a citizen of the United~~  
~~44 9 States.~~

44 10 Sec. 82. Section 49.74, Code 2007, is amended to read as  
44 11 follows:

44 12 49.74 ~~REGISTERED~~ VOTERS ENTITLED TO VOTE AFTER CLOSING  
44 13 TIME.

44 14 Every ~~registered~~ voter who is on the premises of the  
44 15 voter's precinct polling place at the time the polling place  
44 16 is to be closed for any election shall be permitted to vote in  
44 17 that election. Wherever possible, when there are persons on  
44 18 the premises of a polling place awaiting an opportunity to  
44 19 claim their vote at the time the polling place is to be  
44 20 closed, the election board shall cause those persons to move  
44 21 inside the structure in which the polling place is located and  
44 22 shall then shut the doors of the structure and shall not admit  
44 23 any additional persons to the polling place for the purpose of  
44 24 voting. If it is not feasible to cause persons on the  
44 25 premises of a polling place awaiting an opportunity to claim  
44 26 their vote at the time the polling place is to be closed to  
44 27 move inside the structure in which the polling place is  
44 28 located, the election board shall cause those persons to be  
44 29 designated in some reasonable manner and shall not receive  
44 30 votes after that time from any persons except those ~~registered~~  
44 31 voters so designated.

44 32 DIVISION V  
44 33 CHALLENGES AND PROVISIONAL VOTING

44 34 Sec. 83. Section 39A.3, subsection 1, paragraph a, Code  
44 35 2007, is amended by adding the following new subparagraph:

45 1 NEW SUBPARAGRAPH. (4) Files a challenge containing false  
45 2 information under section 48A.14 or 49.79.

45 3 Sec. 84. Section 39A.5, subsection 1, paragraph b,  
45 4 subparagraph (3), Code Supplement 2007, is amended by striking  
45 5 the subparagraph.

45 6 Sec. 85. Section 48A.14, subsections 3 and 4, Code 2007,  
45 7 are amended to read as follows:

45 8 3. A challenge shall contain a statement signed by the  
45 9 challenger in substantially the following form: "I am a  
45 10 registered voter in (name of county) County, Iowa. I swear or  
45 11 affirm that information contained on this challenge is true.  
45 12 I understand that knowingly filing a challenge containing  
45 13 false information is an aggravated misdemeanor."

45 14 4. A challenge may be filed at any time. A challenge  
45 15 filed less than seventy days before a regularly scheduled  
45 16 election shall not be processed until after the pending  
45 17 election unless the challenge is filed within twenty days of  
45 18 the commissioner's receipt of the challenged registrant's  
45 19 registration form or notice of change to an existing  
45 20 registration. A challenge filed against a person registering  
45 21 to vote pursuant to section 48A.7A is considered a challenge  
45 22 to a person offering to vote and must be filed under section  
45 23 49.79.

45 24 Sec. 86. Section 49.79, subsection 2, paragraph c, Code  
45 25 Supplement 2007, is amended to read as follows:

45 26 c. The challenged person is not a resident at the address  
45 27 where the person is registered. However, a person who is  
45 28 reporting a change of address at the polls on election day  
45 29 pursuant to section 48A.27, subsection 2, paragraph "a",  
45 30 subparagraph (3), or who is registering to vote pursuant to  
45 31 section 48A.7A, shall not be challenged for this reason.

45 32 Sec. 87. Section 49.79, Code Supplement 2007, is amended  
45 33 by adding the following new subsections:

45 34 NEW SUBSECTION. 3. a. The state commissioner of  
45 35 elections shall prescribe a form to be used for challenging a  
46 1 prospective voter at the polls. The form shall include a  
46 2 space for the challenger to provide the challenger's printed  
46 3 name, signature, address, and telephone number. The form  
46 4 shall also contain the following statement signed by the  
46 5 challenger: "I am a registered voter in (name of county)  
46 6 County, Iowa. I swear or affirm that information contained in  
46 7 this challenge is true. I understand that knowingly filing a  
46 8 challenge containing false information is an aggravated  
46 9 misdemeanor."

46 10 b. The special precinct board shall reject a challenge  
46 11 that lacks the name, address, telephone number, and signature  
46 12 of the challenger.

46 13 NEW SUBSECTION. 4. A separate written challenge shall be  
46 14 made against each prospective voter challenged.

46 15 NEW SUBSECTION. 5. A challenger may withdraw a challenge

46 16 at the polling place on election day or at any time before the  
46 17 meeting of the special precinct counting board by notifying  
46 18 the commissioner in writing of the withdrawal.

46 19 Sec. 88. Section 49.81, Code 2007, is amended to read as  
46 20 follows:

46 21 49.81 PROCEDURE FOR ~~CHALLENGED~~ VOTER TO CAST PROVISIONAL  
46 22 BALLOT.

46 23 1. A prospective voter who is prohibited under section  
46 24 48A.8, subsection 4, section 49.77, subsection 4, or section  
46 25 49.80 from voting except under this section shall be notified  
46 26 by the appropriate precinct election official that the voter  
46 27 may cast a provisional ballot. If a booth meeting the  
46 28 requirement of section 49.25 is not available at that polling  
46 29 place, the precinct election officials shall make alternative  
46 30 arrangements to insure the ~~challenged~~ voter the opportunity to  
46 31 vote in secret. ~~The marked ballot, folded voter shall mark~~  
46 32 ~~the ballot, fold it or insert it in a secrecy envelope as~~  
46 33 ~~required by section 49.84, shall be delivered to a precinct~~  
46 34 ~~election official who shall and immediately seal it in an~~  
46 35 ~~envelope of the type prescribed by subsection 4. The voter~~  
47 1 ~~shall deliver the sealed envelope to a precinct election~~  
47 2 ~~official who shall be deposited deposit it in an envelope~~  
47 3 ~~marked "provisional ballots" and. The ballot shall be~~  
47 4 ~~considered as having been cast in the special precinct~~  
47 5 ~~established by section 53.20 for purposes of the postelection~~  
47 6 ~~canvass.~~

47 7 2. Each person who casts a provisional ballot under this  
47 8 section shall receive a printed statement in ~~substantially the~~  
47 9 ~~following form:~~

47 10 ~~Your qualifications as a registered voter have been~~  
47 11 ~~challenged for the following reasons:~~

- 47 12 ~~i. ....~~
- 47 13 ~~ii. ....~~
- 47 14 ~~iii. ....~~

47 15 ~~You must show identification before your ballot can be~~  
47 16 ~~counted. Please bring or mail a copy of a current and valid~~  
47 17 ~~photo identification card to the county commissioner's office~~  
47 18 ~~or bring or mail a copy of one of the following current~~  
47 19 ~~documents that show your name and address:~~

- 47 20 ~~a. Utility bill.~~
- 47 21 ~~b. Bank statement.~~
- 47 22 ~~c. Paycheck.~~
- 47 23 ~~d. Government check.~~
- 47 24 ~~e. Other government document.~~

47 25 ~~Your right to vote will be reviewed by the special precinct~~  
47 26 ~~counting board on . . . . . You have the right and~~  
47 27 ~~are encouraged to make a written statement and submit~~  
47 28 ~~additional written evidence to this board supporting your~~  
47 29 ~~qualifications as a registered voter. This written statement~~  
47 30 ~~and evidence may be given to an election official of this~~  
47 31 ~~precinct on election day or mailed or delivered to the county~~  
47 32 ~~commissioner of elections, but must be received before . . . .~~  
47 33 ~~. . . . a.m./p.m. on . . . . . at . . . . .~~

47 34 ~~. . . . If your ballot is not counted you will receive, by~~  
47 35 ~~mail, notification of this fact and the reason that the ballot~~  
48 1 ~~was not counted a form prescribed by the state commissioner by~~  
48 2 ~~rule adopted in accordance with chapter 17A. The statement~~  
48 3 ~~shall contain, at a minimum, the following information:~~

- 48 4 ~~a. The reason the person is casting a provisional ballot.~~
- 48 5 ~~b. If the person is casting a provisional ballot because~~  
48 6 ~~the person failed to provide a required form of~~  
48 7 ~~identification, a list of the types of acceptable~~  
48 8 ~~identification and notification that the person must show~~  
48 9 ~~identification before the ballot can be counted.~~
- 48 10 ~~c. If the person is casting a provisional ballot because~~  
48 11 ~~the person's qualifications as a registered voter have been~~  
48 12 ~~challenged, the allegations contained in the written~~  
48 13 ~~challenge, a description of the challenge process, and the~~  
48 14 ~~person's right to address the challenge.~~
- 48 15 ~~d. A statement that if the person's ballot is not counted,~~  
48 16 ~~the person will receive, by mail, notification of this fact~~  
48 17 ~~and the reason the ballot was not counted.~~
- 48 18 ~~e. Other information deemed necessary by the state~~  
48 19 ~~commissioner.~~

48 20 3. Any eligible elector may present written statements or  
48 21 documents, supporting or opposing the counting of any  
48 22 provisional ballot, to the precinct election officials on  
48 23 election day, until the hour for closing the polls. Any  
48 24 statements or documents so presented shall be delivered to the  
48 25 commissioner when the election supplies are returned.

48 26 4. The individual envelopes used for each provisional

48 27 ballot cast pursuant to subsection 1 shall have space for the  
48 28 voter's name, date of birth, and address and shall have  
48 29 printed on them the following:  
48 30 I am a United States citizen, at least eighteen years of  
48 31 age. I believe I am a registered voter of this county and I  
48 32 am eligible to vote in this election. I registered to vote in  
48 33 ..... county on or about ..... at ..... My name at that  
48 34 time was ..... I have not moved to a different county since  
48 35 that time. I am a United States citizen, at least eighteen  
49 1 years of age.

49 2  
49 3 (signature of voter) (date)  
49 4 The following information is to be provided by the precinct  
49 5 election official:  
49 6 Reason for ~~challenge~~ casting provisional ballot:  
49 7 .....  
49 8 .....  
49 9 ~~Did not present required identification form.~~  
49 10 .....  
49 11 (signature of precinct  
49 12 election official)

49 13 The precinct election official shall attach a completed  
49 14 voter registration form from each provisional voter unless the  
49 15 person's registration status is listed in the election  
49 16 register as active or pending. If a voter is casting a  
49 17 provisional ballot because the voter's qualifications as a  
49 18 registered voter have been challenged, the precinct election  
49 19 official shall attach the signed challenge to the provisional  
49 20 ballot envelope.

49 21 DIVISION VI  
49 22 GENERAL CHANGES TO ELECTIONS PROVISIONS  
49 23 Sec. 89. Section 39A.2, subsection 1, paragraph c, Code  
49 24 Supplement 2007, is amended to read as follows:  
49 25 c. DURESS. Intimidates, threatens, or coerces, or  
49 26 attempts to intimidate, threaten, or coerce, a person to do or  
49 27 to refrain from doing any of the following:  
49 28 (1) To register to vote, to vote, or to attempt to  
49 29 register to vote.  
49 30 (2) To urge or aid a person to register to vote, to vote,  
49 31 or to attempt to vote.  
49 32 (2A) To sign a petition nominating a candidate for public  
49 33 office or a petition requesting an election for which a  
49 34 petition may legally be submitted.

49 35 (3) To exercise a right under chapters 39 through 53.  
50 1 Sec. 90. Section 39A.2, subsection 1, Code Supplement  
50 2 2007, is amended by adding the following new paragraph:  
50 3 NEW PARAGRAPH. f. VOTING EQUIPMENT TAMPERING.  
50 4 Intentionally altering or damaging any computer software or  
50 5 any physical part of a voting machine, automatic tabulating  
50 6 equipment, or any other part of a voting system.

50 7 Sec. 91. Section 49.20, Code 2007, is amended to read as  
50 8 follows:  
50 9 49.20 COMPENSATION OF MEMBERS.  
50 10 The members of election boards shall be deemed temporary  
50 11 state employees who are compensated by the county in which  
50 12 they serve, and shall receive compensation at a rate  
50 13 established by the board of supervisors, which shall be not  
50 14 less than ~~three dollars and fifty cents per hour~~ the minimum  
50 15 wage established in section 91D.1, subsection 1, paragraph  
50 16 "b", while engaged in the discharge of their duties and shall  
50 17 be reimbursed for actual and necessary travel expense at a  
50 18 rate determined by the board of supervisors, except that  
50 19 persons who have advised the commissioner prior to their  
50 20 appointment to the election board that they are willing to  
50 21 serve without pay at elections conducted for any school  
50 22 district or a city of three thousand five hundred or less  
50 23 population, shall receive no compensation for service at those  
50 24 elections. Compensation shall be paid to members of election  
50 25 boards only after the vote has been canvassed and it has been  
50 26 determined in the course of the canvass that the election  
50 27 record certificate has been properly executed by the election  
50 28 board.

50 29 Sec. 92. Section 49.21, Code 2007, is amended to read as  
50 30 follows:  
50 31 49.21 POLLING PLACES == ACCESSIBILITY == SIGNS.  
50 32 1. It is the responsibility of the commissioner to  
50 33 designate a polling place for each precinct in the county.  
50 34 Each polling place designated shall be accessible to persons  
50 35 with disabilities. However, if the commissioner is unable to  
51 1 provide an accessible polling place for a precinct, the  
51 2 commissioner shall apply for a temporary waiver of the

51 3 accessibility requirement. The state commissioner shall adopt  
51 4 rules in accordance with chapter 17A prescribing standards for  
51 5 determining whether a polling place is accessible and the  
51 6 process for applying for a temporary waiver of accessibility.

51 7 2. a. Upon the application of the commissioner, the  
51 8 authority which has control of any buildings or grounds  
51 9 supported by taxation under the laws of this state shall make  
51 10 available the necessary space therein for the purpose of  
51 11 holding elections, without charge for the use thereof.

51 12 b. Except as otherwise provided by law, the polling place  
51 13 in each precinct in the state shall be located in a central  
51 14 location if a building is available. However, first  
51 15 consideration shall be given to the use of public buildings  
51 16 supported by taxation.

~~51 17 In the selection of polling places, preference shall also  
51 18 be given to the use of buildings accessible to persons who are  
51 19 elderly and persons with disabilities.~~

51 20 3. a. On the day of an election, the commissioner shall  
51 21 post a sign stating "vote here" at the entrance to each  
51 22 driveway leading to the building where a polling place is  
51 23 located. The sign must be visible from the street or highway  
51 24 fronting the driveway, but shall not encroach upon the  
51 25 right-of-way of such street or highway.

51 26 b. The commissioner shall post a sign at the entrance to  
51 27 the polling place indicating the election precinct number or  
51 28 name, and displaying a street map showing the boundaries of  
51 29 the precinct.

51 30 Sec. 93. Section 49.25, subsection 1, Code Supplement  
51 31 2007, is amended to read as follows:

51 32 1. In any county or portion of a county for which voting  
51 33 machines have been acquired under section 52.2 the  
51 34 commissioner shall determine pursuant to section 49.26, in  
51 35 advance of each election conducted for a city of three  
52 1 thousand five hundred or less population, or any school  
52 2 district, and individually for each precinct, whether voting  
52 3 in that election shall be by machine or by paper ballot. In  
52 4 counties in which conventional paper ballots are not used, the  
52 5 commissioner shall furnish voting equipment for use by voters  
52 6 with disabilities.

52 7 Sec. 94. Section 49.68, Code 2007, is amended to read as  
52 8 follows:

52 9 49.68 STATE COMMISSIONER TO FURNISH INSTRUCTIONS.

52 10 1. The state commissioner with the approval of the  
52 11 attorney general shall prepare, and from time to time revise,  
52 12 written instructions to the voters relative to ~~voting the~~  
52 13 ~~rights of voters~~, and shall furnish each commissioner with  
52 14 copies of the instructions. Such instructions shall cover the  
52 15 following matters:

52 16 a. The procedure for registering to vote after the  
52 17 registration deadline has passed.

52 18 b. Instructions for voters who are required by law to show  
52 19 identification before voting.

52 20 c. General information on voting rights under applicable  
52 21 federal and state laws, including the following:

52 22 (1) Information on the right of an individual to cast a  
52 23 provisional ballot and the procedure for casting a provisional  
52 24 ballot.

52 25 (2) Federal and state laws regarding prohibitions on acts  
52 26 of fraud, misrepresentation, coercion, or duress.

52 27 d. Instructions on how to contact the appropriate  
52 28 officials if a voter believes the voter's rights have been  
52 29 violated.

52 30 2. The state commissioner shall prepare instructions  
52 31 relative to voting for each voting system in use in the state  
52 32 and shall furnish the county commissioner with copies of the  
52 33 instructions. Such instructions shall cover the following  
52 34 matters:

52 35 1- a. The manner of obtaining ballots.

53 1 2- b. The manner of marking ballots.

53 2 3- c. That unmarked or improperly marked ballots will not  
53 3 be counted.

53 4 4- d. The method of gaining assistance in marking ballots.

53 5 5- e. That any erasures or identification marks, or  
53 6 otherwise spoiling or defacing a ballot, will render it  
53 7 invalid.

53 8 6- f. Not to vote a spoiled or defaced ballot.

53 9 7- g. How to obtain a new ballot in place of a spoiled or  
53 10 defaced one.

53 11 8- h. Any other matters thought necessary.

53 12 Sec. 95. Section 49.70, Code 2007, is amended to read as  
53 13 follows:

53 14 49.70 PRECINCT ELECTION OFFICIALS FURNISHED INSTRUCTIONS.  
53 15 The commissioner shall cause copies of ~~the foregoing each~~  
53 16 ~~set of instructions~~ to be printed in large, clear type, under  
53 17 the heading of "Rights of Voters" and "Instructions for  
53 18 ~~Voters" Voting", as applicable,~~ and shall furnish the precinct  
53 19 election officials with a sufficient number of ~~such each set~~  
53 20 ~~of instructions~~ as will enable them to comply with section  
53 21 49.71.

53 22 Sec. 96. Section 49.71, Code Supplement 2007, is amended  
53 23 to read as follows:

53 24 49.71 POSTING INSTRUCTION CARDS AND SAMPLE BALLOTS.

53 25 The precinct election officials, before the opening of the  
53 26 polls, shall cause ~~the each set of instructions for voters~~  
53 27 required pursuant to section 49.70 to be securely posted as  
53 28 follows:

53 29 1. ~~One~~ At least one copy of the instructions for voting  
53 30 prescribed in section 49.68, subsection 2, in each voting  
53 31 booth.

53 32 2. ~~Not less than four copies,~~ At least one copy of the  
53 33 instructions for voting prescribed in section 49.68,  
53 34 subsection 2, with an equal number of sample ballots, in and  
53 35 about the polling place.

54 1 3. At least one copy of the instructions relating to  
54 2 rights of voters, as prescribed in section 49.68, subsection  
54 3 1, in and about the polling place.

54 4 Sec. 97. Section 49.73, subsection 1, unnumbered paragraph  
54 5 1, Code Supplement 2007, is amended to read as follows:

54 6 At all elections, except as otherwise permitted by this  
54 7 section, the polls shall be opened at seven o'clock a.m., ~~or~~  
54 8 ~~as soon thereafter as vacancies on the precinct election board~~  
54 9 ~~have been filled if at least one official from each of the~~  
54 10 ~~political parties referred to in section 49.13 is present.~~ On

54 11 the basis of voter turnout for recent similar elections and  
54 12 factors considered likely to so affect voter turnout for the  
54 13 forthcoming election as to justify shortened voting hours for  
54 14 that election, the commissioner may direct that the polls be  
54 15 opened at twelve o'clock noon for:

54 16 Sec. 98. Section 49.77, subsection 2, Code Supplement  
54 17 2007, is amended to read as follows:

54 18 2. ~~One of the precinct election officials shall announce~~  
54 19 ~~the voter's name aloud for the benefit of any persons present~~  
54 20 ~~pursuant to section 49.104, subsection 2, 3, or 5. If the~~  
54 21 ~~declaration of eligibility is not printed on each page of the~~  
54 22 ~~election register, any of those persons present pursuant to~~  
54 23 ~~section 49.104, subsection 2, 3, or 5, may upon request view~~  
54 24 ~~the signed declarations of eligibility and may review the~~  
54 25 ~~signed declarations on file so long as the person does not~~  
54 26 ~~interfere with the functions of the precinct election~~  
54 27 ~~officials. If the declaration of eligibility is printed on~~  
54 28 ~~the election register, voters shall also sign a voter roster~~  
54 29 ~~which the precinct election official shall make available for~~  
54 30 ~~viewing a listing of those voters who have signed declarations~~  
54 31 ~~of eligibility. Any of those persons present pursuant to~~  
54 32 ~~section 49.104, subsection 2, 3, or 5, may upon request view~~  
54 33 ~~the listing roster of those voters who have signed~~  
54 34 ~~declarations of eligibility, so long as the person does not~~  
54 35 ~~interfere with the functions of the precinct election~~  
55 1 ~~officials.~~

55 2 Sec. 99. Section 49.88, Code 2007, is amended to read as  
55 3 follows:

55 4 49.88 LIMITATION ON PERSONS IN BOOTH AND TIME FOR VOTING.

55 5 1. No more than one person shall be allowed to occupy any  
55 6 voting booth at any time. ~~No person shall occupy such booth~~  
55 7 ~~for more than three minutes to cast a vote. Nothing in this~~  
55 8 ~~section shall prohibit assistance to voters under section~~  
55 9 ~~49.90. The use of cameras, cellular telephones, pagers, or~~  
55 10 ~~other electronic communications devices in the voting booth is~~  
55 11 ~~prohibited.~~

55 12 2. a. Nothing in this section shall prohibit assistance  
55 13 to voters under section 49.90.

55 14 b. This section does not prohibit a voter from taking  
55 15 minor children into the voting booth with the voter.

55 16 Sec. 100. Section 49.104, Code 2007, is amended by adding  
55 17 the following new subsection:

55 18 NEW SUBSECTION. 8. Reporters, photographers, and other  
55 19 staff representing the news media. However, representatives  
55 20 of the news media, while present at or in the immediate  
55 21 vicinity of the polling places, shall not interfere with the  
55 22 election process in any way.

55 23 Sec. 101. Section 50.9, Code 2007, is amended to read as  
55 24 follows:

55 25 50.9 RETURN OF BALLOTS NOT VOTED.

55 26 Ballots not voted, or spoiled by voters while attempting to  
55 27 vote, shall be returned by the precinct election officials to  
55 28 the commissioner, and a receipt taken for the ballots. The  
55 29 spoiled ballots shall be preserved for twenty-two months  
55 30 following elections for federal offices and for six months  
55 31 following elections for all other offices. The commissioner  
55 32 shall record the number of ballots sent to the polling places  
55 33 but not voted. The ballots not voted shall be destroyed after  
55 34 the end of the period for contesting the election. However,  
55 35 if a contest is requested, the ballots not voted shall be  
56 1 preserved until the election contest is concluded.

56 2 Sec. 102. NEW SECTION. 50.15A UNOFFICIAL RESULTS OF  
56 3 VOTING == GENERAL ELECTION ONLY.

56 4 1. In order to provide the public with an early source of  
56 5 election results before the official canvass of votes, the  
56 6 state commissioner of elections, in cooperation with the  
56 7 commissioners of elections, shall conduct an unofficial  
56 8 canvass of election results following the closing of the polls  
56 9 on the day of a general election. The unofficial canvass  
56 10 shall report election results for national offices, statewide  
56 11 offices, the office of state representative, the office of  
56 12 state senator, and other offices or public measures at the  
56 13 discretion of the state commissioner of elections.

56 14 2. After the polls close on election day, the commissioner  
56 15 of elections shall periodically provide election results to  
56 16 the state commissioner of elections as the precincts in the  
56 17 county report election results to the commissioner pursuant to  
56 18 section 50.11. If the commissioner determines that all  
56 19 precincts will not report election results before the office  
56 20 is closed, the commissioner shall report the most complete  
56 21 results available prior to leaving the office at the time the  
56 22 office is closed as provided in section 50.11. The  
56 23 commissioner shall specify the number of precincts included in  
56 24 the report to the state commissioner of elections.

56 25 The state commissioner of elections shall tabulate  
56 26 unofficial election results as the results are received from  
56 27 the commissioners of elections and shall periodically make the  
56 28 reports of the results available to the public.

56 29 3. Before the day of the general election, the state  
56 30 commissioner of elections shall provide a form and  
56 31 instructions for reporting unofficial election results  
56 32 pursuant to this section.

56 33 Sec. 103. Section 50.49, unnumbered paragraph 4, Code  
56 34 2007, is amended to read as follows:

56 35 The petitioners requesting the recount shall post a bond as  
57 1 required by section 50.48, subsection 2. The amount of the  
57 2 bond shall be one thousand dollars for a public measure  
57 3 appearing on the ballot statewide or one hundred dollars for  
57 4 any other public measure. If the difference between the  
57 5 affirmative and negative votes cast on the public measure is  
57 6 less than the greater of fifty votes or one percent of the  
57 7 total number of votes cast for and against the question, a  
57 8 bond is not required. If approval by sixty percent of the  
57 9 votes cast is required for adoption of the public measure, no  
57 10 bond is required if the difference between sixty percent of  
57 11 the total votes cast for and against the question and the  
57 12 number of affirmative votes cast ~~for the losing side~~ is less  
57 13 than the greater of fifty votes or one percent of the total  
57 14 number of votes cast.

57 15 Sec. 104. Section 53.23, subsection 3, paragraph b, Code  
57 16 Supplement 2007, is amended to read as follows:

57 17 b. If the board finds any ballot not enclosed in a secrecy  
57 18 envelope and the ballot is folded in such a way that any of  
57 19 the votes cast on the ballot are visible, the two special  
57 20 precinct election officials, one from each of the two  
57 21 political parties referred to in section 49.13, subsection 2,  
57 22 shall place the ballot in a secrecy envelope. No one shall  
57 23 examine the ballot. ~~Each of the special precinct election~~  
57 24 ~~officials shall sign the secrecy envelope.~~

57 25 Sec. 105. Section 423A.4, subsection 4, Code Supplement  
57 26 2007, is amended to read as follows:

57 27 4. a. A city or county shall impose or repeal a hotel and  
57 28 motel tax or increase or reduce the tax rate only after an  
57 29 election at which a majority of those voting on the question  
57 30 favors imposition, repeal, or change in rate. However, a  
57 31 hotel and motel tax shall not be repealed or reduced in rate  
57 32 if obligations are outstanding which are payable as provided  
57 33 in section 423A.7, unless funds sufficient to pay the  
57 34 principal, interest, and premium, if any, on the outstanding  
57 35 obligations at and prior to maturity have been properly set

58 1 aside and pledged for that purpose. ~~The election shall be~~  
58 2 ~~held at the time of the regular city election or the county's~~  
58 3 ~~general election or at the time of a special election.~~  
58 4 b. If the tax applies only within the corporate boundaries  
58 5 of a city, only the registered voters of the city shall be  
58 6 permitted to vote. The election shall be held at the time of  
58 7 the regular city election or at a special election called for  
58 8 that purpose. If the tax applies only in the unincorporated  
58 9 areas of a county, only the registered voters of the  
58 10 unincorporated areas of the county shall be permitted to vote.  
58 11 The election shall be held at the time of the general election  
58 12 or at a special election called for that purpose.

58 13 DIVISION VII

58 14 LOCAL REDISTRICTING

58 15 Sec. 106. Section 68B.32A, Code Supplement 2007, is  
58 16 amended by adding the following new subsection:  
58 17 NEW SUBSECTION. 15. Establish an expedited procedure for  
58 18 reviewing complaints forwarded by the state commissioner of  
58 19 elections to the board for a determination as to whether a  
58 20 supervisor district plan adopted pursuant to section 331.210A  
58 21 was drawn for improper political reasons as described in  
58 22 section 42.4, subsection 5. The expedited procedure shall be  
58 23 substantially similar to the process used for other complaints  
58 24 filed with the board except that the provisions of section  
58 25 68B.32D shall not apply.

58 26 Sec. 107. Section 331.210A, subsection 2, paragraph e,  
58 27 Code 2007, is amended to read as follows:

58 28 e. The plan approved by the board of supervisors shall be  
58 29 submitted to the state commissioner of elections for approval.  
58 30 If the state commissioner or the ethics and campaign  
58 31 disclosure board finds that the plan does not meet the  
58 32 standards of section 42.4, the state commissioner shall reject  
58 33 the plan, and the board of supervisors shall direct the  
58 34 commission to prepare and adopt an acceptable plan.

58 35 For purposes of determining whether the standards of  
59 1 section 42.4 have been met, an eligible elector may file a  
59 2 complaint with the state commissioner of elections within  
59 3 fourteen days after a plan is approved by the board of  
59 4 supervisors of the county in which the eligible elector  
59 5 resides, on a form prescribed by the commissioner, alleging  
59 6 that the plan was drawn for improper political reasons as  
59 7 described in section 42.4, subsection 5. If a complaint is  
59 8 filed with the state commissioner of elections, the state  
59 9 commissioner shall forward the complaint to the ethics and  
59 10 campaign disclosure board established in section 68B.32 for  
59 11 resolution.

59 12 If, after the initial proposed supervisor district plan or  
59 13 precinct plan has been submitted to the state commissioner for  
59 14 approval, it is necessary for the temporary county  
59 15 redistricting commission to make subsequent attempts at  
59 16 adopting an acceptable plan, the subsequent plans do not  
59 17 require public hearings.